

Planning Commission Minutes
April 28, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 10:13 a.m. on April 25, 2022.)

7. (PC-10810) Application by Oklahoma City Urban Renewal Authority, to rezone 1010 N Oklahoma Avenue, 1324 N Oklahoma Avenue, and 616 N Walnut Avenue from the R-4 General Residential, C-3 Community Commercial, O-1 Limited Office and Downtown Scenic Highway Area, to the DBD Downtown Business District, DTD-1 Downtown Transitional District: Limited and Downtown Scenic Highway Area. Ward 6.

RECOMMENDED APPROVAL

MOVED BY CLAIR, SECONDED BY PRIVETT

AYES: CRAVENS, CLAIR, PRIVETT, HINKLE, HIGHSMITH, LAFORGE;

ABSENT: POWERS, PENNINGTON



STAFF REPORT
The City of Oklahoma City
Planning Commission
April 28, 2022

Item No. IV. 7.

(PC-10810) Application by Oklahoma City Urban Renewal Authority, to rezone 1010 N Oklahoma Avenue, 1324 N Oklahoma Avenue, and 616 N Walnut Avenue from the R-4 General Residential, C-3 Community Commercial, O-1 Limited Office and Downtown Scenic Highway Area, to the DBD Downtown Business District, DTD-1 Downtown Transitional District: Limited, and Downtown Scenic Highway Area. Ward 6.

I. GENERAL INFORMATION

A. Contacts

Applicant

Olen Cook, The Alliance OKC
 (405) 604-6780
 Olen.cook@theallianceokc.org

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to change the existing mixed-district based zoning, formerly within State Highway Right of Way, to Special Purpose District based zoning that will permit in-fill of design district use and development.

D. Existing Conditions

1. Size of Site (4.74 Acres)

2. Zoning and Land Use

Parcel 1 – DBD Downtown Business District proposed.

	Subject Site	North	East	South	West
Zoning	C-3 / R-4 / DSHA	C-3 / R-4 / DSHA	PUD-1532	C-3 / R-4 / DSHA	PUD-1078
Land Use	Highway R.O.W.	Highway R.O.W.	Office	Highway R.O.W.	Warehouse

Parcel 2 - DBD Downtown Design District proposed.

	Subject Site	North	East	South	West
Zoning	C-3 / R-4 / DSHA	C-3 / R-4 / DSHA	PUD-992	PUD-1120	DBD / DSHA

Land Use	Highway R.O.W.	Highway R.O.W.	Highway / Office	Office / Warehouse	Office
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Parcel 3 – DTD-1 Downtown Transitional District: Limited proposed.

	Subject Site	North	East	South	West
Zoning	O-1 / R-4 / DSHA	O-1 / R-4 / DSHA	R-4	SPUD-900	DTD-1
Land Use	Highway R.O.W.	Highway R.O.W.	Highway / Apartments	Warehouse	Warehouse

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

UH 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.

4. Development Context: The rezoning application consists of three (3) separate sites, all generally located along the west side of I-235 near Downtown. Parcel 1 is bounded on the north by NE 10th Street, on the west by N Oklahoma Ave and on the east by I-235. Parcel 2 is bounded on the north by Harrison Ave, on the west by N Walnut Ave, and on the east by I-235. Parcel 3 is bounded on the north by NE 13th St, on the west by N Oklahoma Ave and on the east by I-235. The Downtown Scenic Highway Area (DSHA) Overlay is in place over the subject site, which prevents new billboards. The surrounding area contains office uses, warehouses, restaurants, apartments, and some undeveloped land.

The sites were acquired for the construction of Interstate 235 and would revert to the zoning in place at the time they were acquired (a mixture of C-3, O-1, and R-4). Instead, the application seeks to zone Parcels 1 and 2 into DBD, and Parcel 3 to DTD-1. All three sites would be subject to the regulations, guidelines, and design review processes of the Downtown Design Review District.

II. 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 (OCCHD)**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Water Resources Board (OWRB)**
- 5. School District (Oklahoma City)**
- 6. Oklahoma Department of Transportation (ODOT)**
- 7. Oklahoma Natural Gas (ONG)**
- 8. Oklahoma Electric Cooperative (OEC)**

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**

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 PC 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.

8. Streets, Traffic and Drainage Maintenance

9. Stormwater Quality Management

10. Traffic Management

11. Utilities

a. Engineering

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 line 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(s).
- 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.

- 9) A wastewater extension will be required for Parcel 2.

b. Solid Waste Management

No Solid Waste Management services needed.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 16" 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.
- 2) 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.
- 3) Dead-end water mains must be avoided where applicable.
- 4) All existing unnecessary water services must be abandoned at the water main(s).
- 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 and/or right-of-way. No trees, signs, dumpsters, 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).
- 11) A water extension will be required for Parcel 2.

12. 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.

DTD-1 and DBD zoning would require uses at the street level (at or within 10 feet of the property line). All new buildings would be subject to design review. National, state, and local permitting require basic best management practices for stormwater management.

Density: The typical non-residential Floor to Area Ratio (FAR) range for the Urban High LUTA is 1.5, with a minimum of 0.80. The Urban High LUTA outlines a density range of 40 to 100 dwelling units (du) per acre. *The DTD-1 and DBD Districts could allow for density and FAR within the UH LUTA range.*

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.
- Protect existing traditional street grid and reconnect it where possible.
- Limit curb cuts on arterial streets and where possible, concentrate access for retail development at shared entrance points.

Access would be per the DBD/DTD-1 regulations and guidelines.

Pedestrian Connectivity:

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

- For large-scale, block sized development, provide public connectivity via alley or internal sidewalks and streets.

Pedestrian access would be per the DBD/DTD-1 regulations and guidelines.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating DTD-1 and DBD near other DTD-1 and DBD zoned commercial, office, industrial, or high-intensity residential zoning, no potential compatibility issues are identified by the comprehensive plan. Projects in higher intensity LUTAs (UH) may be more appropriate for significant transitions of density, scale and mass.
- 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 within the street network identified in the Downtown Design Framework (DDF). Transit (bus) service is available less than two blocks away to the north, west and south, and one-half mile to the east. Streetcar service is available downtown.
- 6) **Other Development Related Policies**
 - Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
 - 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)
 - 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)

b. Plan Conformance Considerations

The rezoning application consists of three separate sites, all generally located along the west side of I-235 near Downtown. The application seeks to bring the sites into the Downtown Design Review District. The requested DTD-1 and DBD Districts are consistent with the comprehensive plan and the surrounding area. The DSHA Overlay would remain in place.

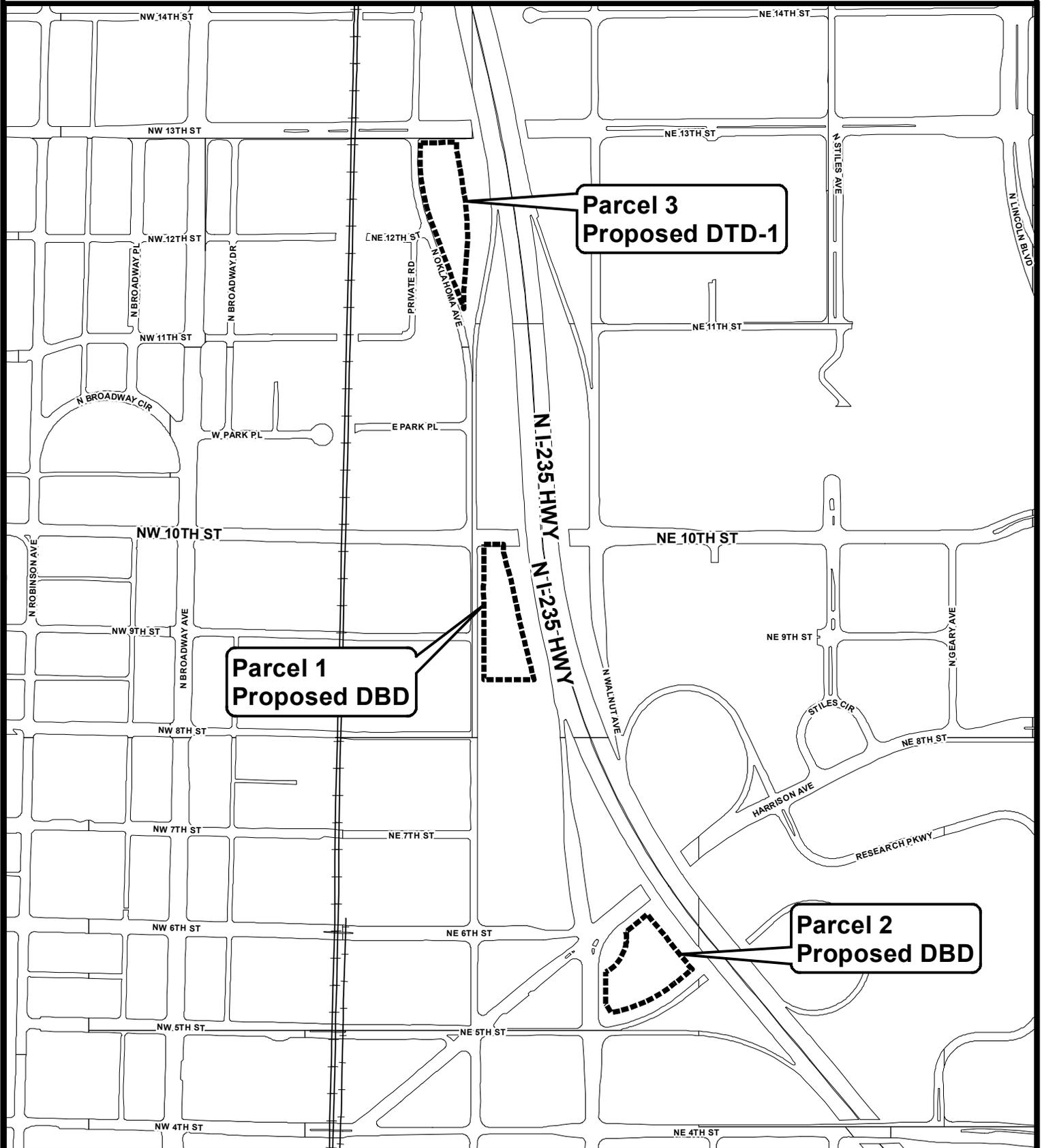
The rezoning application is subject to review by the Downtown Design Review Committee (DDRC). On April 21, 2022, the DDRC reviewed the proposed application and recommended approval to the Planning Commission to rezone the properties into DTD-1 and DBD.

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.

taj



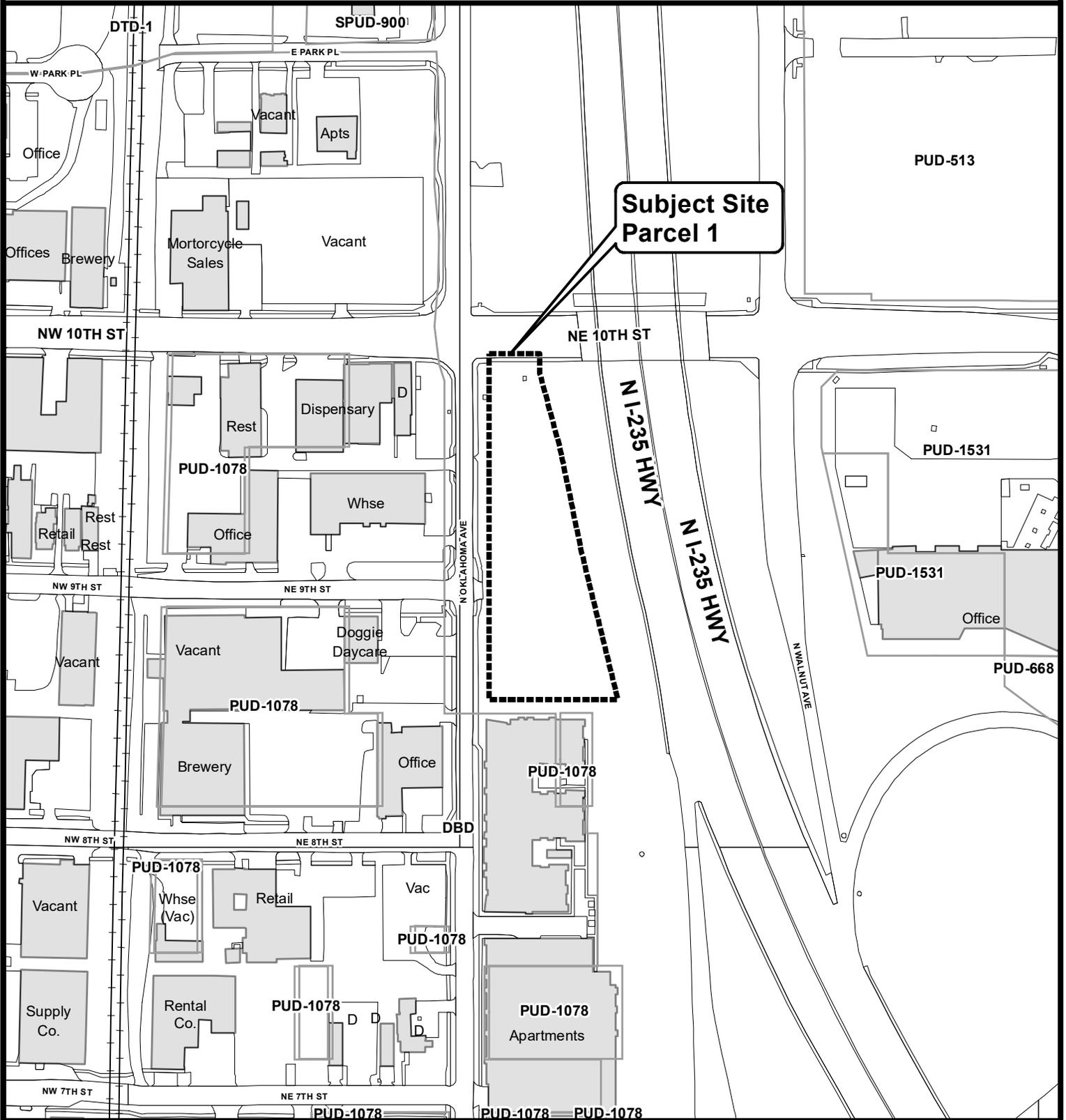
The City of
OKLAHOMA CITY

Rezoning Application



0 250 500 Feet

Case No: PC-10810 Applicant: OCURA
Existing Zoning: C-3 / R-4 / DSHA
Proposed Zoning: DBD Location: 1010 N. Oklahoma Ave.



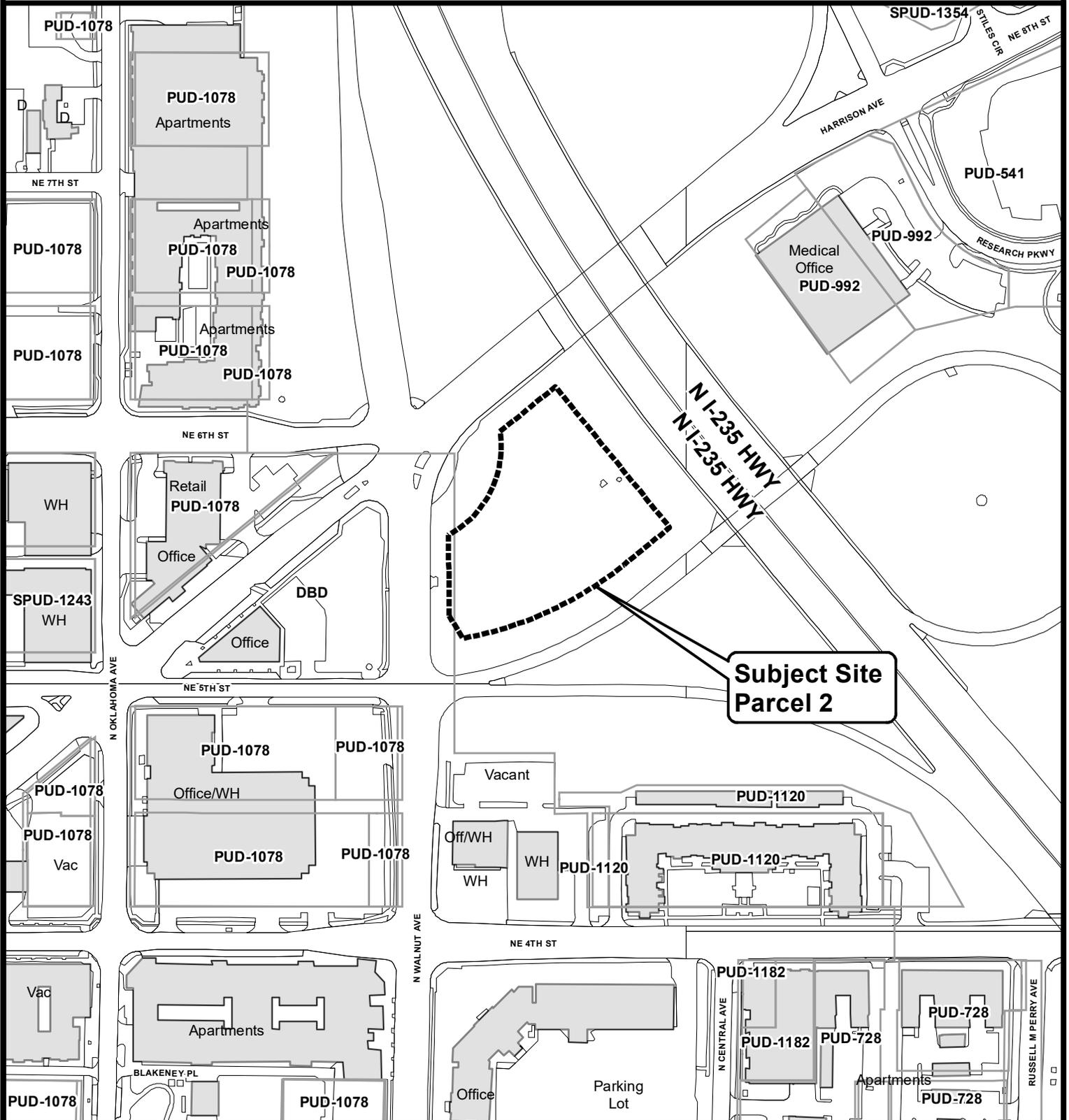
The City of
OKLAHOMA CITY

Rezoning Application



0 100 200 Feet

Case No: PC-10810 Applicant: OCURA
Existing Zoning: R-4 / DSHA / C-3
Proposed Zoning: DBD Location: 616 N. Walnut Ave.



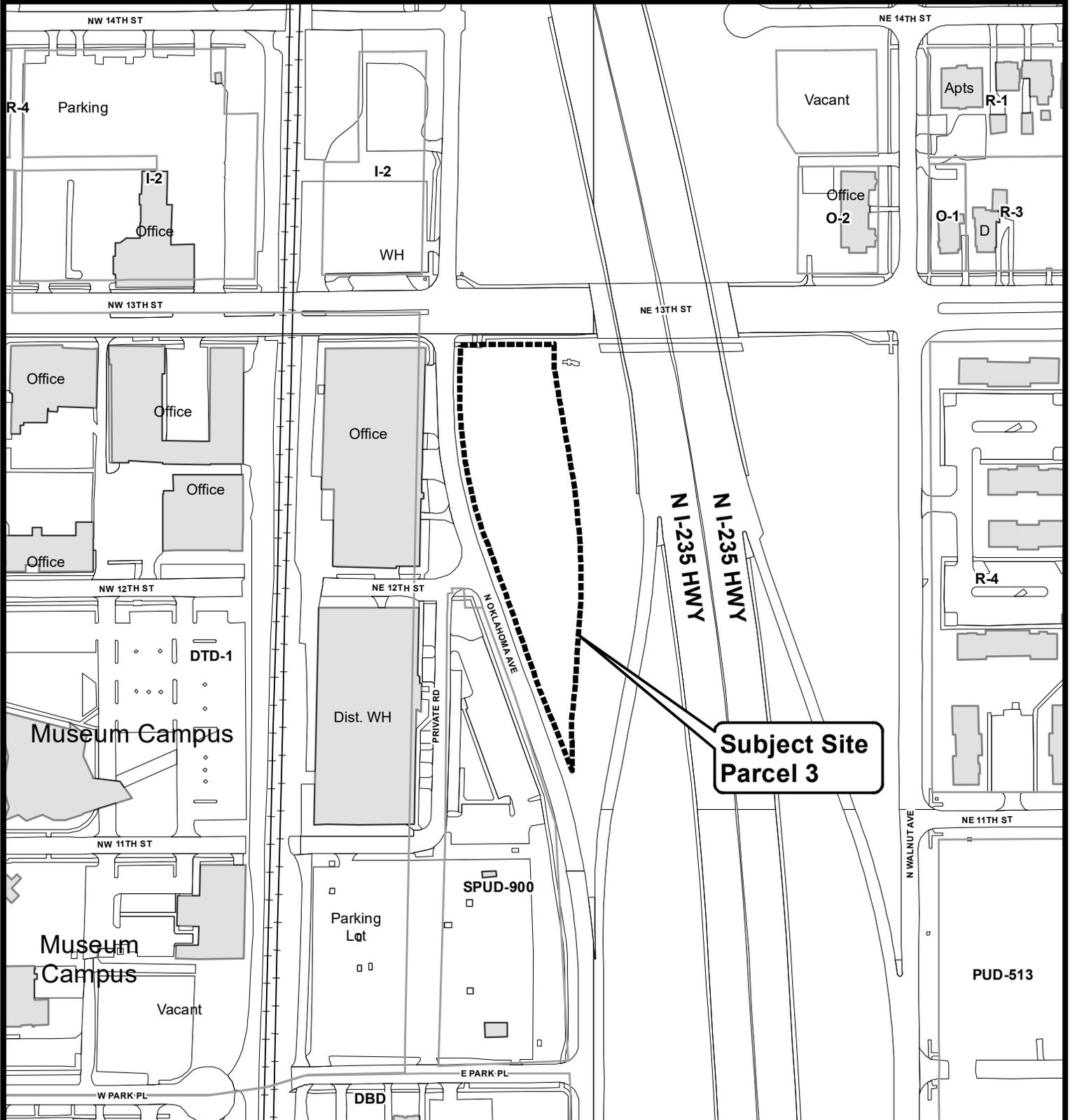
The City of
OKLAHOMA CITY

Rezoning Application



0 100 200 Feet

Case No: PC-10810 Applicant: OCURA
Existing Zoning: O-1 / R-4 / DSHA
Proposed Zoning: DTD-1 Location: 1324 N. Oklahoma Ave.



The City of
OKLAHOMA CITY

Rezoning Application



0 100 200 Feet

Case No: PC-10810

Applicant: OCURA



Parcel 1
Proposed DBD

Parcel 3
Proposed DTD-1

Parcel 2
Proposed DBD

Aerial Photo from 2/2020



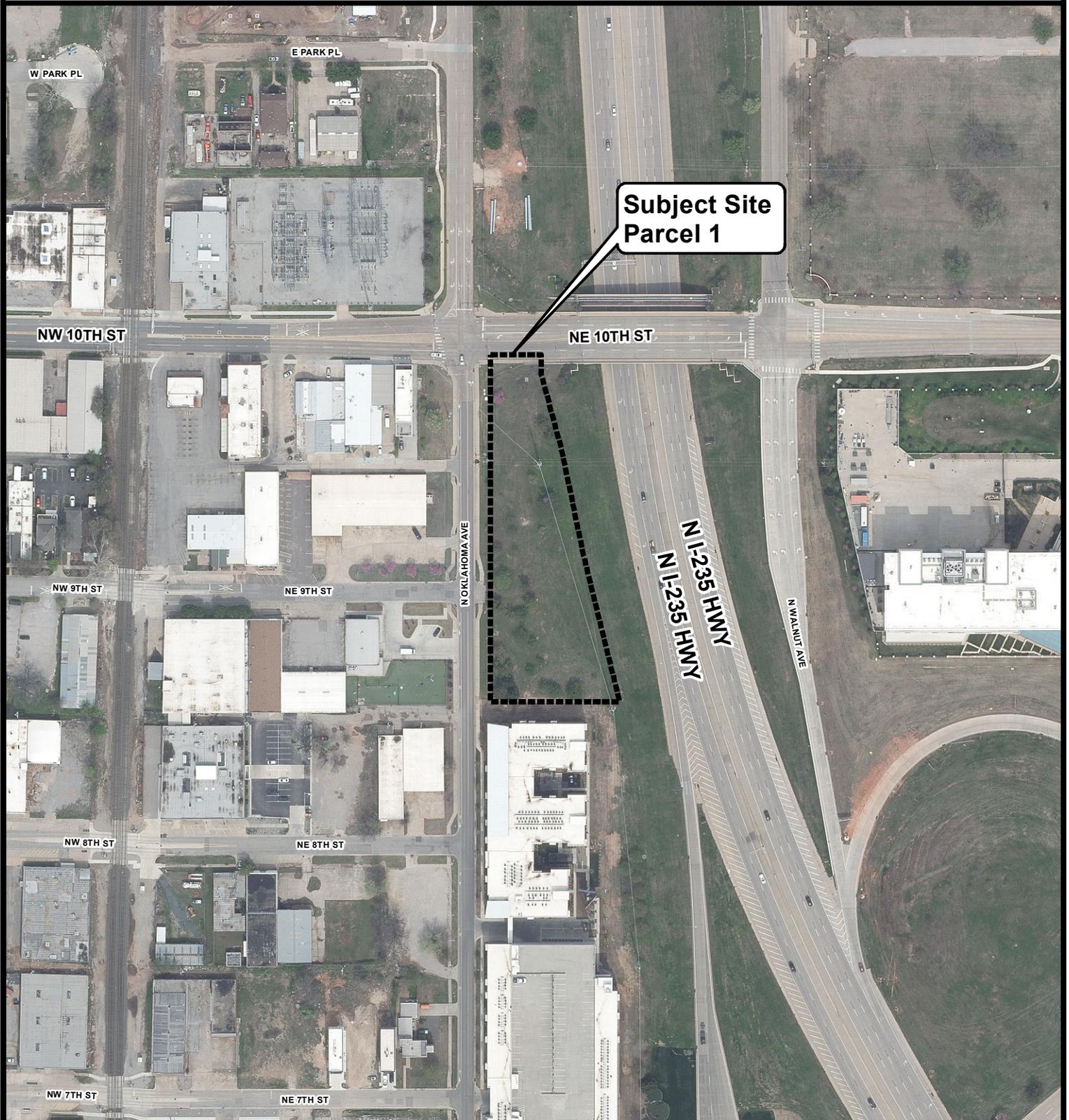
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Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Rezoning Application



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Case No: PC-10810 Applicant: OCURA
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Proposed Zoning: DBD Location: 616 N. Walnut Ave.



Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Rezoning Application



0 100 200
Feet

Case No: PC-10810 Applicant: OCURA
Existing Zoning: O-1 / R-4 / DSHA
Proposed Zoning: DTD-1 Location: 1324 N. Oklahoma Ave.



Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Rezoning Application



0 100 200 Feet



STAFF REPORT

Downtown Design Review Committee

04/21/2022

Agenda Item VII.A.
Case No. PC-10810
Property Address 1010 & 1324 N Oklahoma Ave and 616 N Walnut Ave
Applicant Name OCURA
105 N Hudson Ave, Suite 101
Oklahoma City, OK 73102
Current District R-4, O-1 and C-3
Proposed District DTD-1 and DBD

A. ITEMS FOR CONSIDERATION

1. Recommendations

- a. To provide a recommendation to the Planning Commission for a request to rezone from R-4 (General Residential District) and C-3 (Community Commercial District) to DBD (Downtown Business District) and from R-4 (General Residential District) and O-1 (Limited Office District) to DTD-1 (Downtown Transitional District, Limited).

B. BACKGROUND

1. Location

This application consists of three (3) separate sites. Parcel 1 is bounded on the north by NE 10th St, on the west by N Oklahoma Ave and on the east by I-235. Parcel 2 is bounded on the north by Harrison Ave, on the west by N Walnut Ave, and on the east by I-235. Parcel 3 is bounded on the north by NE 13th St, on the west by N Oklahoma Ave and on the east by I-235.

2. Site History/Existing Conditions

The 1919 Sanborn Maps show that these parcels were located in an established residential neighborhood, consisting of single-family homes, duplexes and small apartment buildings. None of those structures remain today. Currently, these sites are vacant.

These sites were acquired by ODOT for the construction of the I-235 Interstate Highway. The Oklahoma City Urban Renewal Authority (OCURA) is the current owner, and they propose to redevelop the sites. The current zoning on the property has reverted back to the zoning in place at the time they were acquired by ODOT, R-4, (General Residential District), O-1 (Limited Office District) and C-3 (Community Commercial District).

3. Surrounding Environment

The surrounding area contains office uses, warehouses, restaurants, the Metropolitan Apartments and vacant land. Adjacent to the east is I-235.

4. Intended Use

Uses allowed in DTD-1 and DBD.

5. Other

This would be the second expansion of the Downtown District boundaries since the District and Committee were established in 2007. In 2019, the boundaries were expanded to include the block bounded by Classen Blvd on the east, NW 10th St on the south, N Western Ave on the west, and Park Pl on the north (site of the recently approved “Thrive” project). The Downtown ordinance describes the intent of the DBD District, and the DTD-1 District, and other plans and guidelines describe how the project area should develop. Staff believes that the ordinance, plans, and guidelines support adding these sites into the Downtown Design District.

7200.2 Downtown Business District (DBD).

“A. Purpose and Intent.

The DBD District is intended to support diverse forms of business and residential activity, including mixed-uses in a single building, within the central area of the City. Development regulations and guidelines in this district are intended to promote the development and redevelopment of the downtown area in a manner consistent with the unique and diverse design elements and urban character of the downtown district; ensure that uses are compatible with the commercial, cultural, historical and governmental significance of downtown; promote the downtown as a vital mixed-use area; create a network of pleasant, safe, and connected public spaces and pedestrian amenities; enhance existing structures and circulation patterns; and encourage preservation and restoration (of) historic features.”

7200.3. Downtown Transitional District, Limited (DTD-1).

“A. Purpose and Intent.

The DTD-1 District is intended to promote a high quality mix of commercial, office, and residential uses, including mixed-uses in a single building, for areas adjacent to the DBD District. Development regulations are intended to promote the development and redevelopment of areas adjacent to the DBD District in a manner consistent with the unique and diverse design elements of the area, ensure compatible commercial and residential uses, create a network of pleasant public spaces and pedestrian amenities, enhance existing structures and circulation patterns, encourage preservation and restoration of historic features, encourage preservation of the cultural significance of the central city, and promote the areas adjacent to the downtown business district as dense, urban and mixed-use neighborhoods.”

Downtown Development Framework

Parcel #1 is included in the extents of the *Downtown Development Framework* and is identified as a “General Urban” development typology which consists of both office and residential structures and “a limited number of vertically mixed structures.” It appears that the majority of the I-235 right-of-way, including Parcel #2 and Parcel #3, was left out of the DDF.

planokc

The comprehensive plan identifies all three (3) sites as an “Urban High Intensity (UH)” land use typology area that could allow higher intensity development.

According to the plan,

“UH 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.”

Urban High-Intensity Character is described as:

“Clusters of office, housing, and retail, often vertically mixed and at least 3 stories tall. The UH Typology represents what most people would consider “urban.”

Since the applicant has applied for rezoning to DBD and DTD-1, no exceptions or additions to the Downtown Design District regulations or guidelines are being requested. If the rezoning is approved, the applicant will be required to comply with the Downtown Design District regulations and guidelines and will be required to submit a Certificate of Approval application for any new construction projects.

C. ISSUES AND CONSIDERATIONS

None

D. STAFF RECOMMENDATION

1. Provide a recommendation of **approval** to the Planning Commission for the request to rezone from R-4 and C-3 to DBD (Downtown Business District) and from R-4 and O-1 to DTD-1 (Downtown Transitional District, Limited) on the basis that the project complies with the regulations and guidelines of the Downtown Design District zoning ordinance as referenced in Section C of the Staff Report.

Note: Staff recommendations do not constitute Committee decisions.

Attachments: Zoning Map, Rezoning Application, Drawings, Photos.