

Planning Commission Minutes
February 24, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 4:29 p.m. on February 18, 2022.)

9. (SPUD-1387) Application by Giua, LLC, to rezone 200 SW 134th Street from the SPUD-1335 District to the SPUD-1387 Simplified Planned Unit Development District. Ward 5.

The applicant was present. There were no protestors present.

Amended Technical Evaluation:

1. Use Unit 8300.13, replace permitted with restricted. Automotive: Parking Lots, as a Principal Use (8300.13) Use is ~~permitted~~ restricted for the purpose of shared parking to allow for the phasing of landscaping and building construction.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY HINKLE, SECONDED BY PRIVETT

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

ABSENT: POWERS, COFFEY, HIGHSMITH



STAFF REPORT
The City of Oklahoma City
Planning Commission
February 24, 2022

Item No. IV. 9.

(SPUD-1387) Application by Giua, LLC., to rezone 200 SW 134th Street from the SPUD-1335 District to the SPUD-1387 Simplified Planned Unit Development District. Ward 5.

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

The SPUD proposes the addition of multi-family residential to those uses allowed under SPUD-1335.

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: 5.0 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	SPUD-1335	PUD-740	PUD-1771	R-1	O-2
Land Use	Undeveloped	Post Office	Commercial	Res/Com	Undeveloped

4. Development Context: The 5-acre subject site is located at the southeast corner of SW 134th Street and S Harvey Ave, west of S Santa Fe Avenue. The site is currently undeveloped. To the north of the site across SW 134th Street is a post office and electric substation.

To the west of the site across S Harvey Avenue is undeveloped property zoned O-2 and a Personal Storage business. To the south of the site is the single-family subdivision of Santa Fe Sunset. In 2021, the land was rezoned to SPUD-1335 to allow commercial uses and regulations that mirrored PUD-1771 to the east. The new SPUD proposes the addition of the multi-family residential use to those allowed under SPUD-1335.

II. SUMMARY OF PUD APPLICATION

This site will be developed in accordance with the regulations the **C-3, “Community Commercial” District and R-4, “General Residential” District** (OKC Zoning Ordinance, 2020), except as modified herein.

1. The following uses shall be the only uses permitted within this SPUD:

The use and development regulations of the **C-3, “Community Commercial” District and/or the R-4, “General Residential” District** (as applicable) shall govern this SPUD except as herein modified below:

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

- Multiple-Family Residential (8200.12)
- Dwelling Units and Mixed Use (8200.2)
- Live/Work Units (8200.4)
- Administrative and Professional Offices (8300.1)
- Animal Sales and Services: Kennels and Veterinary, Restricted (8300.11)
- Automotive: Parking Lots, as a Principal Use (8300.13) Use is permitted for the purpose of shared parking to allow for the phasing of landscaping and building construction.
- Building Maintenance Services (8300.23)
- Business Support Services (8300.24)
- Child Care Centers (8300.25)
- Convenience Sales and Personal Services (8300.32)
- Custom Manufacturing (8350.3)
- Eating Establishment: Fast Food (8300.35)
- Eating Establishment: Fast Food, with Drive-Thru Order Window (8300.36) Not allowed within 150’ of residential zoning districts.
- Eating Establishment: Sitdown (8300.37)
- Eating Establishment: Sitdown, Alcohol Permitted (8300.38)
- Eating Establishment: Sitdown, limited Alcohol Permitted (8300.39)
- Community Recreation: Restricted (8250.4)
- Food and Beverage Retail Sales (8300.41)

- Alcoholic Beverage Retail Sales (8300.5)
- Medical Services: General (830.52)
- Medical Services: Restricted (8300.53)
- Participant Recreation and Entertainment: Indoor (8300.55)
- Personal Services: General (8300.58)
- Personal Services: Restricted (8300.59)
- Retail Sales and Services: General (8300.63)
- Repair Services: Consumer (8300.61)
- Research and Development (8350.1)
- Research Services: Restricted (8300.62)

All conditional and special permit use regulations shall apply to this SPUD including the ability to apply for special event permits for outdoor events held within this SPUD.

2. Maximum Building Height:

The maximum height for structures within this SPUD shall be 2½ stories or 35 feet.

If developed as multiple-family residential use the maximum height shall be per the R-4, “General Residential” District regulations shall apply.

3. Maximum Building Size:

The maximum building size shall utilize the base district regulations.

4. Building Setback Lines:

There shall be no internal setback regulations except for those required to meet The City of Oklahoma City Building and Fire Code. The following setbacks shall be for buildings along the property boundaries and exclude any recreational amenities, walking paths or outdoor patios.

North: 25 feet
South: 50 feet
East: None
West: 10 feet

5. Density:

There shall be a maximum of 115 units permitted within this SPUD.

6. Sight-proof Screening:

Screening for this SPUD shall not be required due to the existence of the pond which creates a natural buffer and screen, coupled with the 50-foot south setback.

The furthest south buildings which back up to the existing residential development to the south shall be required to screen any mechanical equipment on the rear side of the building from view. This screening may be masonry or wood.

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. However, street trees shall be permitted to be planted within or at the property line rather than in public right of way.

Landscaping for the parking lot may be phased in with each building permit.

8. Signs:

8.1 *Freestanding Accessory Signs*

There shall be two (2) freestanding monument signs permitted in this SPUD. Said signs shall be ground (monument) signs with the maximum size being eight (8) feet high and 100 square feet per sign.

A sign that contains the name of any business located within this SPUD is deemed accessory, even if the sign is not placed on the parcel where the business is located, as long as the business and the sign are located within the SPUD. Pole signs and billboards shall not be permitted.

8.2 *Attached Signage*

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

8.3 *Non-Accessory Signs*

Non-accessory signage shall not be permitted within this development.

8.4 *Electronic Message Display Signs*

EMD signs shall not be permitted within this SPUD.

8.5 *Decorative Artwork, Architectural Elements and Temporary Signage*

Decorative artwork and architectural elements shall be permitted in this SPUD. Artwork/architectural elements may include but is not limited to fountains, individual art pieces, decorative entry elements, etc. The decorative artwork/architectural elements shall not exceed 40 feet in height, must have a minimum 14 feet clearance in height (for archways) and be located a minimum of 15 feet from the curb of any adjacent street.

8.6 *Temporary Signage*

Temporary signage within this SPUD shall be permitted. Temporary signage includes: promotional banners/ signage, directional wayfinding for events, sponsorship banners, etc. Temporary signage shall not remain in place for more than 60 consecutive days.

9. Access:

Access into this SPUD shall be via one drive from SW 134th Street and one drive from Harvey Avenue. Said drives shall have a minimum separation of 200 feet from adjacent driveways.

Lots within this SPUD will not be required to have frontage on an approved street.

Access to individual lots within the SPUD may be permitted to be from a private drive. The private drive may be placed within a common area or easement designated for access purposes. A Property Owners Association through the use of recorded Covenants and Restrictions shall govern maintenance of the private drive. Access to the individual buildings shall be provided by private shared access drives that will provide internal circulation. Private shared access drives shall have a minimum pavement width of 20 feet for one-way drives and 24 feet for two-way drives.

Lots may be platted/subdivided and there shall be no minimum lot size. A platted lot may be split administratively but is not permitted to include an adjacent common area/private driveway. The resulting lot is permitted to take access from the platted common area/private drive and to conform to the regulations within this SPUD. A split lot is not required to have frontage on an approved street.

10. Parking Regulations:

The number and design 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.

If development within this SPUD utilizes the “Commercial District” scheme of development where parking is screened behind or to the sides of structures, the parking requirement for said development shall be reduced by 15%. Parking can be met through shared parking agreements among adjacent office/retail uses.

11. Sidewalk Regulations:

Five-foot wide sidewalks shall be constructed along any public street where development occurs. Said sidewalks shall be 6-foot wide if the sidewalk is constructed adjacent to the curb, subject to the policies/procedures of the Public Works Department. All sidewalks shall be in place prior to any occupancy certificates being issued.

II. Other Development Regulations:

1. Architecture:

Exterior building wall finish on all structures, exclusive of windows and doors, shall consist of a minimum 70% brick, brick veneer, rock, concrete, stucco, concrete-board, architectural metal or stone masonry. No more than 30% wood or other materials not listed shall be permitted. Buildings shall be oriented such that the backs of buildings are not facing toward any street.

2. Open Space:

There shall be a minimum of 10% open space within this SPUD.

3. Street Improvements: N/A

4. Other:

4.1 Lighting:

The site lighting in this SPUD shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended.

To minimize light spillover on residential uses, outdoor lights within the development will be directed away from any adjacent residential properties. To accomplish this, lights shall utilize shields, shades, or other appropriate methods of directing light beams.

4.2 Dumpsters:

Dumpsters shall be consolidated where practical and 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 the developed single-family homes.

4.3 Drainage:

Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2, as amended.

III. Supporting Documents:

- Exhibit A:** Legal Description
Exhibit B: Conceptual 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) Moore**
- 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

- 1) Driveway on SW 134th St should align with a driveway on the north side of SW 134th St.

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.
- 9) Will have to extend wastewater main along Harvey to make connection. Connection to the South is not allowed due to the detention pond.

b. Solid Waste Management

c. Water/Wastewater Quality

Water Availability

- 1) Existing 8 and 12" water main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications.
- 2) A separate service connection and meter is required for each building/structure.

- 3) 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.
- 4) Dead-end water mains must be avoided where applicable.
- 5) All existing unnecessary water services must be abandoned at the water main.
- 6) 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.
- 7) 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.
- 8) All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 9) 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.
- 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:

- Where possible, provide a continuous system of open space along stream corridors or other appropriate areas that link neighborhoods and park lands.

- 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.

Location:

- Locate uses that generate high traffic volumes along arterial streets, frontage roads, and interstates.
- Avoid concentrations of apartment complexes. Instead, integrate multifamily units into neighborhoods with mixes of housing types or in mixed-use developments.

The subject site is located along SW 134th St, a major arterial.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. UL LUTA outlines a density range of 4 to 8 dwelling units per acre for single family, and 15 to 30 dwelling units per acre for multifamily. *The SPUD regulations would allow a FAR within this range. The SPUD adds the ability to develop up to 115 multifamily residential units over the 5-acre site, or 23 du/acre, within the LUTA range.*

Automobile Connectivity:

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

The SPUD limits access to one driveway per street frontage, in conformance with the comprehensive plan. The SPUD removes a requirement to connect east to PUD-1771 as, unfortunately, the PUD did not provide an option to connect to the subject 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.

The SPUD requires sidewalks on both streets.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating the proposed uses adjacent to existing Low Intensity Residential, “Building Scale and Site Design”, “Traffic”, and “Operational Impact” are potential compatibility issues identified by the comprehensive plan. *In this case, the SPUD maintains the provisions of the existing SPUD, including the 50-foot setback on the south and screening of mechanical equipment. The only change to what was previously approved is to allow the multifamily residential use. No new unmitigated compatibility issues were identified with the addition of the use.*
- 3) **Service Efficiency:**
 - Water: *Served*
 - Sewer: *Fully Served*
 - Fire Service: *Urban or Rural 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. *The SPUD requires 10 percent open space and a 50-foot setback at the rear near the pond.*
- 5) **Transportation System:** This site is located at the southeast corner of SW 134th St, a Major Arterial Street, and S Harvey Ave, a Neighborhood Street, both in the Urban Low LUTA. Transit (bus) service is not available. A multi-use trail is planned within 1.5 miles to the west with a route to be determined at a later date.

6) Other Development Related Policies

- Regional-, community-, and neighborhood-scale retail developments should provide an internal vehicle and pedestrian circulation system between new and existing centers and individual stores that draws on the following principles:
 - Concentrate access for new retail development at shared primary entrance points. Primary entrance points should be aligned with access points immediately across intersecting roads. Limit curb cuts on primary highways and arterials.
 - Provide pedestrian circulation, including sidewalks and median breaks along interior and exterior fronting roads and within parking lots.
 - Encourage coordinated development of retail centers in order to facilitate internal pedestrian and vehicle circulation and optimal center performance (SU-27)
- Commercial buildings should be built at the street rather than behind a parking lot in order to promote pedestrian circulation, multipurpose shopping trips, and walkable and attractive streetscapes. 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)
- Higher density multifamily development should be located in areas near employment or educational centers where street and transit systems have, or will soon have capacity to support the added trips. (SU-48)
- 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)

- Incorporate natural features (such as ponds, lakes, streams, rock outcroppings, stands of mature trees, and/or sizeable individual trees) into the design of all residential, commercial, and industrial projects rather than eliminating, hiding, or limiting access to those features. (E-31)
- 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 proposal would rezone 5 acres of land at the southeast corner of SW 134th Street and S Harvey Ave from SPUD-1335. The existing SPUD was just approved in 2021. The request is made to add the multifamily use to those uses already allowed in SPUD-1335. The SPUD maintains the same 50-foot setback on the south, limits access to one per frontage, limits sign size and height, and prohibits EMD signs. No new unmitigated compatibility issues were identified with the addition of the use.

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.

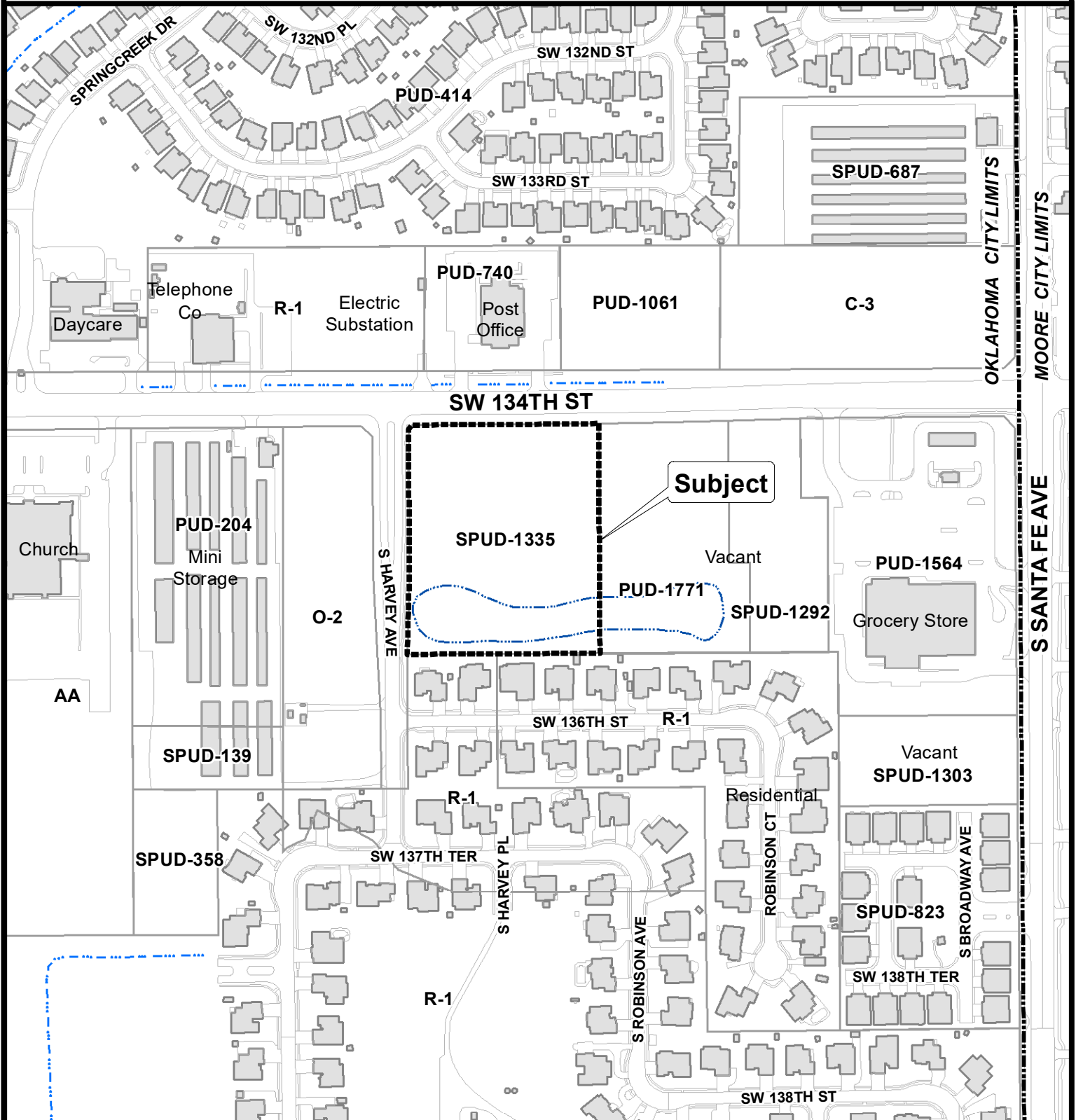
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Case No: SPUD-1387

Applicant: Mark W. Zitzow, Johnson & Associates

Existing Zoning: SPUD-1335

Location: 200 SW 134th St.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 150 300 Feet



**SW 134th St. &
S Santa Fe Ave.
West Tract**

SPUD-1387 Exhibit B

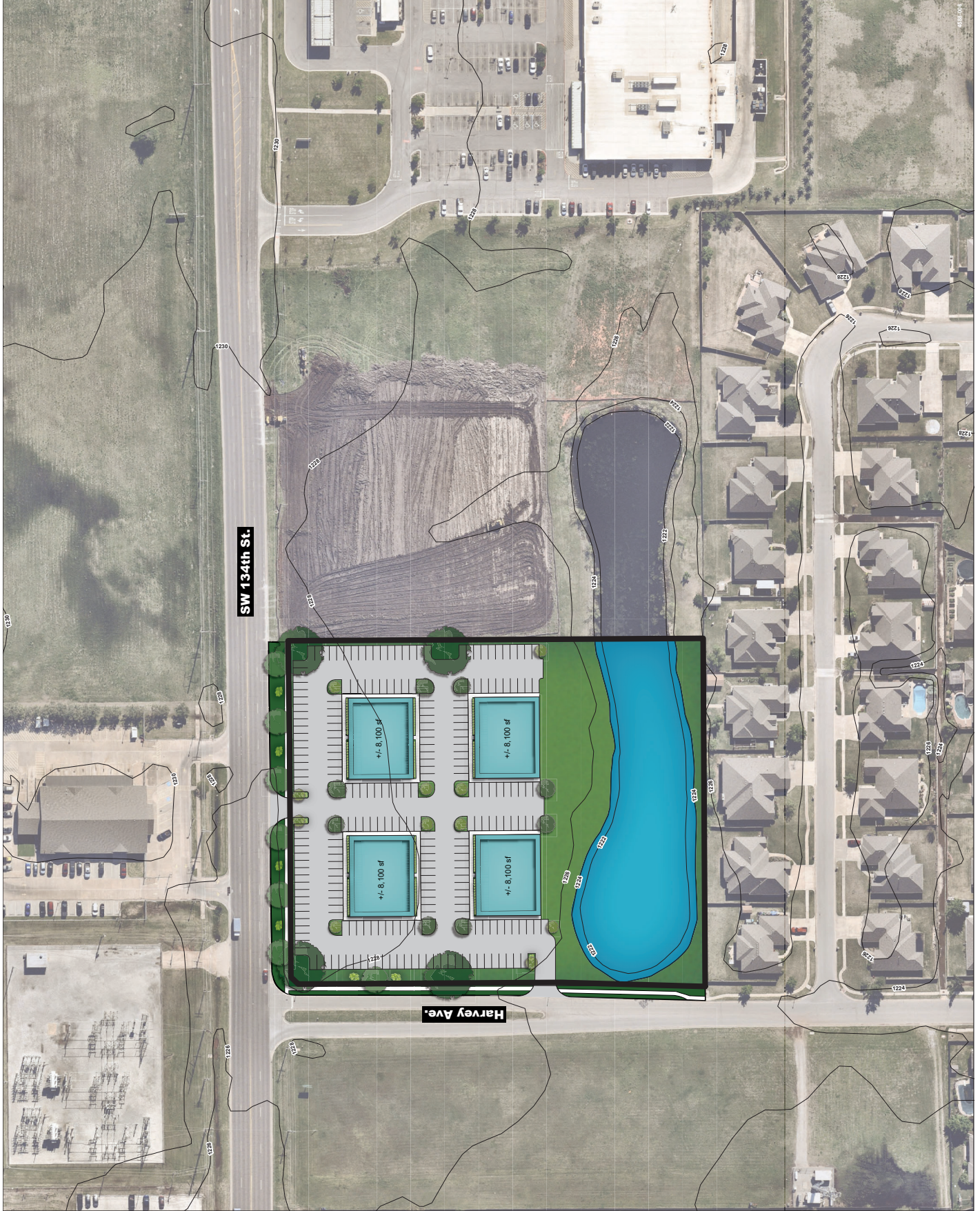
+/- 5 acres



Johnson & Associates
1 E Sheridan Ave., Suite 200
Olathe, MO 64662
PH: (816) 251-5871
FAX: (816) 251-5871

ENGINEERS SURVEYORS PLANNERS
1/1/12

Conceptual site plan showing feasible option
permitted under proposed rezoning

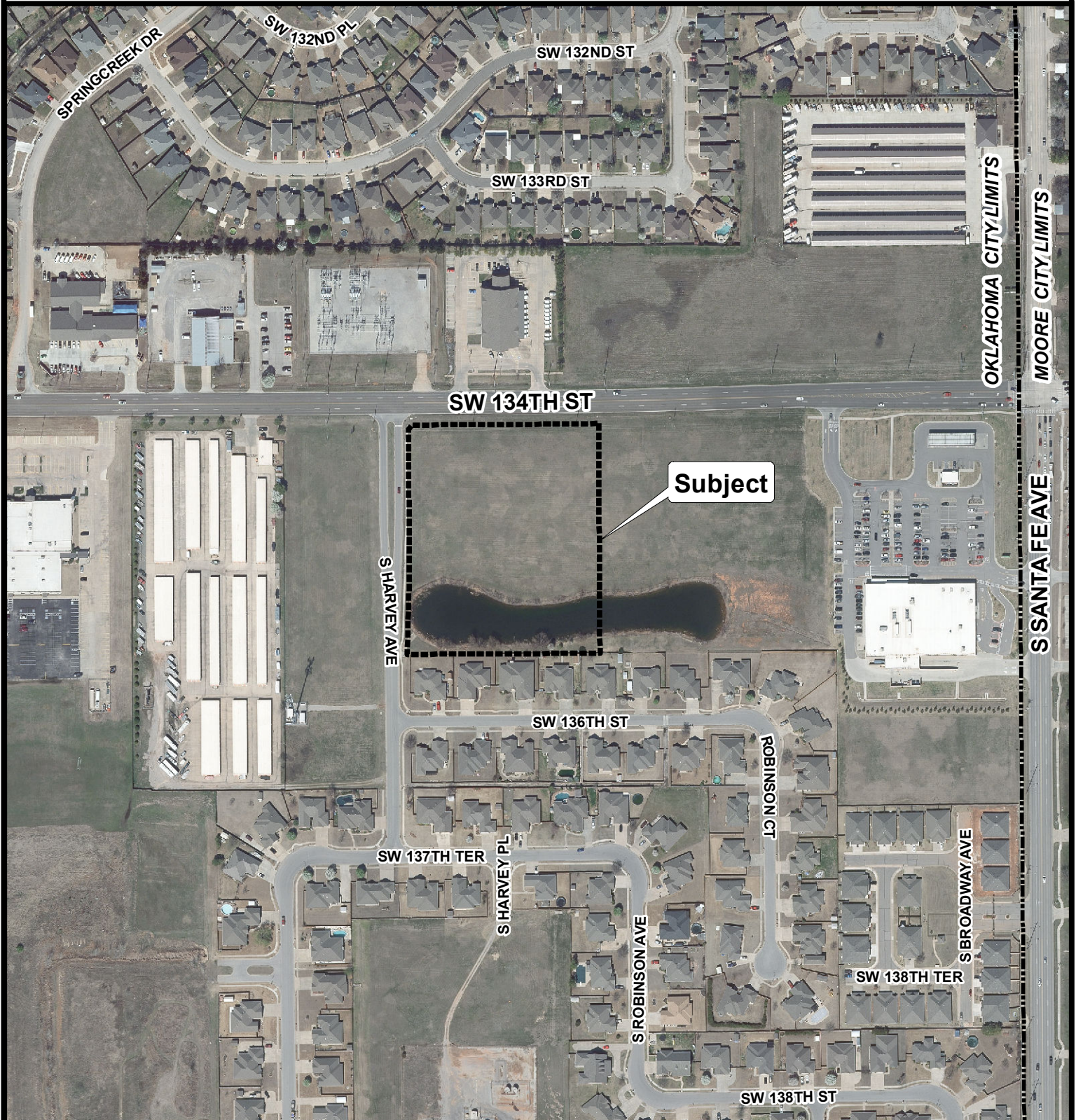


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Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 150 300 Feet