

Planning Commission Minutes
August 11, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 5:02 p.m. on August 6, 2022.)

1. (SPUD-1438) Application by Richard and Pamela Thomas, to rezone 1135 North Portland Avenue from the R-1 Single Family Residential District to the SPUD-1438 Simplified Planned Unit Development District. Ward 3.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY FRALEY, SECONDED BY HINKLE

AYES: CLAIR, POWERS, FRALEY, PRIVETT, HINKLE, GOVIN,
PENNINGTON, LAFORGE, NOBLE



STAFF REPORT
The City of Oklahoma City
Planning Commission
August 11, 2022

Item No. IV. 1.

(SPUD-1438) Application by Richard and Pamela Thomas, to rezone 1135 North Portland Avenue from the R-1 Single Family Residential District to the SPUD-1438 Simplified Planned Unit Development District. Ward 3.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name Richard Thomas
Phone 405-946-2725
Email Richardthomas844@gmail.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit a commercial development.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Urban – Low Intensity (UL)

UL applies to the least intensively developed areas of the city that still receive urban water, sewer, police, park and fire services. Development in this area should provide horizontal integration of land uses, connectivity within and between individual developments, and design that facilitates pedestrian and bicycle transportation.

2. Size of Site: 0.31 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1	C-3	R-1	C-3	R-1
Land Use	Com/Res	Commercial	Commercial	Commercial	Residential

4. Development Context: The subject site is located at the southwest corner of N Portland Avenue and NW 11th Street. The site is developed with a furniture restoration business spanning two structures and is zoned R-1.

Land to the north and south along N Portland Ave is zoned C-3 and developed with commercial uses. Abutting on the west is a residence. The SPUD is requested to allow expansion of the existing use.

II. SUMMARY OF PUD APPLICATION

- 1.** This site will be developed in accordance with the regulation of the **C-3 Community Commercial 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 Uses
8300.23- Building Maintenance Services
8300.24- Business Support Services
8350.3- Custom Manufacturing
8300.61- Repair Services: Consumer
8250.2- Community Recreation- General
8250.3- Community Recreation- Property Owners Association
8250.4- Community Recreation-Restricted
8300.32- Convenience Sales and Personal Services
8250.5- Cultural Exhibits
8200.2- Dwelling Units and Mixed Uses
8150.6.3- Greenhouse
8150.6.5- Hoop House
8250.11- Library Services and Community Centers
8300.63- Retail Sales and Services: General

- 2. Maximum Building Height:**

The base zoning district (C-3) will regulate the maximum height of buildings in this SPUD.

- 3. Maximum Building Size:**

The base zoning district (C-3) will regulate the maximum size of buildings in this SPUD.

- 4. Maximum Number of Buildings:**

The base zoning district (C-3) will regulate the maximum number of buildings in this SPUD.

5. Building Setback Lines

- Front Yard: 0 ft.
- Rear Yard: 15 ft.
- Side Yard: 10 ft. (North)
- Side Yard: 0 ft. (South)

6. Sight-proof Screening:

Fences to conform with section 59-12200.3B of the Oklahoma City Municipal Code, 2020, as amended. Sight-proof screening is present on the west side of the property that is abutting a residential use, as well as the south side of the property.

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. The landscaping in this SPUD shall be in accordance with the Chapter 59, Article XII, Section 59-11250 of the Oklahoma City Municipal Code.

8. Signs:

8.1 Free standing accessory signs

One free standing accessory sign on N Portland will be permitted. Said sign shall be a maximum 8 feet tall with a maximum area of 100 square feet.

8.2 Attached signs

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

8.3 Non-Accessory Signs

Non-Accessory signs are strictly prohibited in this SPUD.

8.4 Electronic Message Display signs

EMD Signs are prohibited in this SPUD

9. Access:

Access shall be provided by one drive on N. Portland Avenue and one drive on N.W. 11th Street.

10. Sidewalks

The City will build a sidewalk on the east side of the property from NW 11th Street southward. This sidewalk is identified as a 2017 GO Bond project.

II. Other Development Regulations:

1. Architecture:

N/A

2. Street Improvements:

N/A

3. Site Lighting:

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

4. Dumpsters:

Dumpsters shall be permitted but must be consolidated and located within an area screened by a fence or masonry wall. The wall must be of sufficient height to screen the dumpster(s) from view and meet any other city ordinances at the time they are brought on site. Dumpsters shall have 50 feet minimum of separation from any residential use.

5. Parking:

This SPUD will provide a minimum of 15 parking spaces, inclusive of the required ADA spaces. The design and size of parking spots in this SPUD will be in accordance with Chapter 59 Article X of the Oklahoma City municipal code. The angled parking spaces on N Portland Ave will be removed and replaced with City standard curb, gutter and sod.

6. Drainage:

All drainage design for this development shall be in accordance with the applicable requirements of Chapter 16 of the Oklahoma City Municipal Code that are in effect at the time the plans are submitted for review.

III. 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) 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

- 1) Unrecorded angle parking is marked adjacent to 1135 N Portland Ave in the N Portland Ave public right of way. This parking must be removed as part of the approval process for this SPUD. A 25 foot right away triangle appears to be needed at the southwest corner of N Portland Ave and NW 11th 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. 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) All existing unused wastewater services must be abandoned at the wastewater main.

b. Solid Waste Management

- 1) The City provide solid waste collection services to commercial customers providing refuse is not excess of 270 gallons per customer per pick up § 49-30 (a). Otherwise the customer will have to utilize a private hauler for dumpster service.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 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. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 3) Dead-end water mains must be avoided where applicable. All existing unnecessary water services must be abandoned at the water main.
- 4) 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.
- 5) 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.
- 6) 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.
- 7) 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 N Portland Avenue, an 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 would allow for a FAR within this 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.
- Provide vehicular connectivity between adjacent developments.

The site has one driveway on NW 11th Street and access via angled parking on N Portland Ave. The SPUD is requested for a building addition. A new parking area would be located behind the buildings, in conformance with the comprehensive plan and consistent with a streetscape project that will include new sidewalks along N Portland Ave.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.
- Within parking lots, provide pedestrian access ways separated from vehicle aisles.

Sidewalks will be installed along N Portland Ave.

- 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. *The site is already developed with a furniture restoration business adjacent to a home on the west. A metal fence screens the sides and rear of the property. The conceptual plan indicates a future building expansion and new parking area that would be located behind the buildings that front N Portland Ave. The SPUD varies the C-3 setbacks to mirror the existing development. No new compatibility issues were identified.*
- 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 southwest corner of N Portland Avenue, a Major Arterial Street, and NW 11th Street, a Neighborhood Street, both in the Urban Low LUTA. The nearest transit (bus) service is located to the south, along NW 10th Street. Access to the trail system is available to the east, adjacent on the other side of N Interstate 44, along the W I-44 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. (SU-28)
 - 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)

- 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 at the southwest corner of N Portland Avenue and NW 11th Street. The site is developed with a furniture restoration business. The SPUD is intended to bring the existing business into zoning conformance and allow for a building expansion. The Portland corridor will soon receive sidewalks and the existing on-street angled parking in front of the subject site will be removed. The SPUD accounts for the streetscape improvements and the conceptual plan shows the parking relocated to the rear of the property. Driveways are limited to one per frontage and signs limited to one monument sign on N Portland, a maximum of 8 feet tall, consistent with the comprehensive plan. The proposed commercial zoning is consistent with the extent of the C-3 zoning along the arterial street.

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.

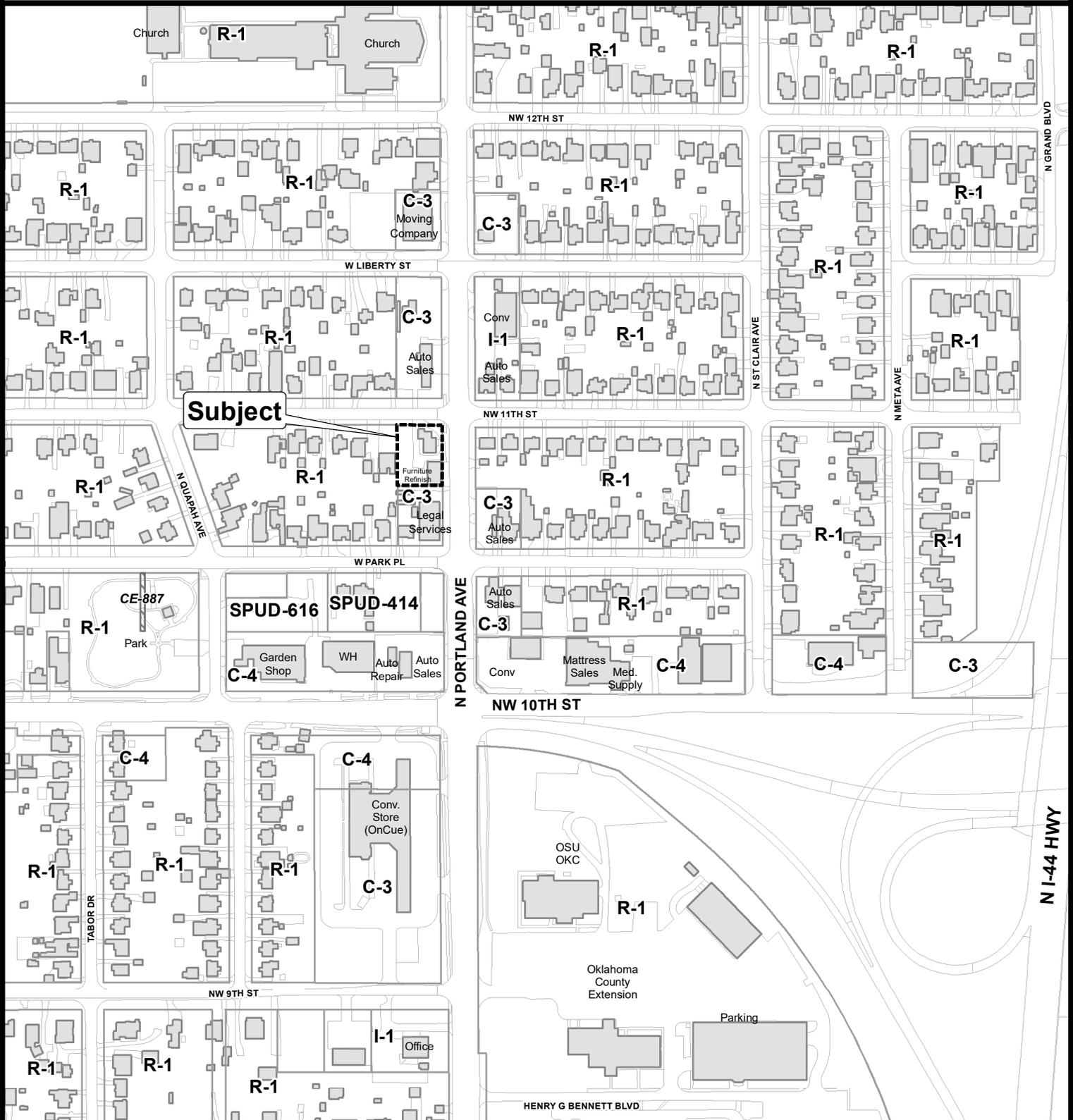
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Case No: SPUD-1438

Applicant: Richard R. and Pamela J. Thomas

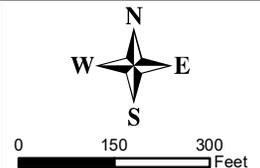
Existing Zoning: R-1

Location: 1135 N. Portland Ave. / 3706 NW 11th St.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



Case No: SPUD-1438

Applicant: Richard R. and Pamela J. Thomas

Existing Zoning: R-1

Location: 1135 N. Portland Ave. / 3706 NW 11th St.



Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 150 300
Feet



Wednesday, June 29, 2022

Development Services Department
420 West Main Street
Suite 910
Oklahoma City, OK 73102-4437

RE: ID#G192207 - SPUD-1438 Simplified Planned Unit Development District

OKLAHOMA CITY

The Association of Central Oklahoma Governments has completed its Regional Clearinghouse Review of the above referenced proposal recently submitted by your office. The proposed project is consistent with ACOG area-wide goals and objectives.

Please notify this office of any subsequent modifications, supplements, or amendments to this proposal if such occurs. At that point we will conduct an additional regional review of the modified proposal as necessary.

You are also requested to notify this office of the official action taken on this proposal by the agency from which you are requesting assistance.

Please be advised that this letter only intends to assist you in the process of your application. No commitment of funds for your proposal from any funding source is intended or implied.

Please include the ID number listed above for any future communication regarding this proposal. We appreciate this opportunity for review and comment on your proposal.

Sincerely,

Mark W. Sweeney

Mark W. Sweeney, AICP
Executive Director

Chair
Josh Moore
Edmond Councilmember

Vice-Chair
Brian Grider
Mustang Mayor

Secretary/Treasurer
Glenn Berglan
Goldsby Mayor

Executive Director
Mark W. Sweeney, AICP