

Planning Commission Minutes
September 8, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 3:57 p.m. on September 2, 2022.)

7. (PC-10831) Application by C&L Asset Group, LLC, to rezone 2520 North Oklahoma Avenue from the C-3 Community Commercial District to the I-2 Moderate Industrial District. Ward 7.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY HINKLE, SECONDED BY PRIVETT

AYES: CLAIR, POWERS, FRALEY, PRIVETT, HINKLE, GOVIN,
NOBLE;

ABSENT: PENNINGTON, LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
September 08, 2022

Item No. IV. 7.

(PC-10831) Application by C&L Asset Group, LLC, to rezone 2520 North Oklahoma Avenue from the C-3 Community Commercial District to the I-2 Moderate Industrial District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

Applicant

Larry Beaty
(405) 317-5450
larrybeaty@jmsokc.com

B. Case History

This is a new application. This application is a companion to CE-1082 easement closure application.

C. Reason for Request

The purpose of this request is to change the existing commercial based zoning to a industrial based zoning that will resolve the existing non-conforming use and permit industrial use and development.

D. Existing Conditions

1. Size of Site (0.92 Acre)

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	C-3	I-2 / I-1	R-1	I-2 / C-3	I-2
Land Use	Off / Whse	Off / Whse	Residential	Off / Whse	Off / Whse

3. Comprehensive Plan Land Use Typology Area: Urban – Medium (UM)

UM applies to fully urbanized areas of the city, most of which were built prior to the 1960s. Developments are expected to be larger in scale and have greater intensity and mixture of uses than developments found in UL. Development within UM areas should support efficient transit usage and provide pedestrian and bicycle access to retail, services, parks, and other destinations. Priorities for the UM areas include “infill” developments on vacant lots, rehabilitation of underutilized property, and development that supports revitalization of distressed neighborhoods.

Comprehensive Plan Land Use Typology Layer: Transit Oriented (TO)

The TO layer encourages higher density development, higher levels of transportation system connectivity, and concentrations of housing and commercial activity around areas designated as mass transit stops. The intent is to create unique, mixed-use districts with housing and employment opportunities around the City's future transit network. TO areas are characterized by a walkable environment, close proximity of buildings, and minimal land used for parking. These nodes of high intensity may be located within lower-intensity areas. Construction at higher intensity maximizes efficiency of the current and future transit system and minimizes reliance on private automobiles. The TO layer is applied within 1/4 mile of a node identified on the Land Use Plan.

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. Wastewater Comments *

b. Water Comments *

c. Solid Waste Management

No Solid Waste Management services needed.

12. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Maintain historical lot and block sizes where possible and appropriate.
- Utilize Best Management Practices (BMP) for stormwater.
- Incorporate commercial uses at street level to maintain an active, pedestrian friendly streetscape.
- Design buildings to include facades, storefront windows, and attractive signage and lighting to create pedestrian-scale visual interest.

Location:

- Mixture of density, lot size and building scale is appropriate as long as land use compatibility is achieved.

National, state, and local permitting require basic best management practices for stormwater management. The proposed industrial district would be located near other I-2 zoned land and also adjacent to R-1 zoned land.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.
- Protect existing traditional street grid and reconnect it where possible.
- Primary entrance points should be aligned with access points immediately across the street.

This application is associated with CE-1082, a request to close the unimproved portion of NE 25th Street.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are not present in the area.

- #### 2) **Compatibility:**
- The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating industrial uses adjacent to existing residential uses or zoning, “Building Scale and Site Design”, “Traffic”, and “Operational Impact” are potential compatibility issues identified by the comprehensive plan. Projects in higher intensity LUTAs (UM) may be more appropriate for significant transitions of density, scale and mass.

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if the setbacks are significantly deeper or more shallow than the predominant character of adjacent development; the building’s orientation to the street differs from the predominant character of adjacent development; building size or street frontage dramatically differs from that of adjacent uses, the lot coverage

(including buildings and paved areas) dramatically exceeds that of adjacent uses, or if buildings within 40 ft. of a single-family residential structure exceed a 3:1 ratio in height. *The site abuts R-1 zoned land on the east. New development would be subject to step-downs in height, increased setbacks, and screening and a landscape buffer would be required adjacent to residential districts. No compatibility issues were identified when placing the I-2 District adjacent to existing commercial and industrial zoning.*

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 I-2 District allows some uses that may create operational impacts near residential uses. Mitigation measures beyond Code requirements cannot be stipulated in a base zoning request. The nearest homes are at least 200 feet from the eastern boundary of the subject site.*

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 off N Oklahoma Ave, an Industrial Street within the Urban Medium LUTA. The nearest transit (bus) service is located two blocks south along NE 23rd Street.
- 6) **Other Development Related Policies**
 - 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)
 - Share parking between contiguous developments. (C-31)
 - Initiate new efforts to reduce sign clutter and improve the aesthetics of signs, while allowing for adequate and visible business identification (E-14)
 - Encourage unified planning for all adjoining land owned or controlled by a project's developer to ensure proper circulation and land use relationships (SU-47)

b. Plan Conformance Considerations

The subject site is located on the east side of N Oklahoma Avenue, north of NE 24th Street in the Urban Medium LUTA. The site is generally located between the Capitol and I-235, north of NE 23rd Street. The site is zoned C-3 and developed with a business. The proposed I-2 District is consistent with the zoning along N Oklahoma Ave and westward to N Santa Fe Ave. New development would be subject to a step-down in height, increased setbacks, sight-proof screening, and landscaping on the east where adjacent to the R-1 District.

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.

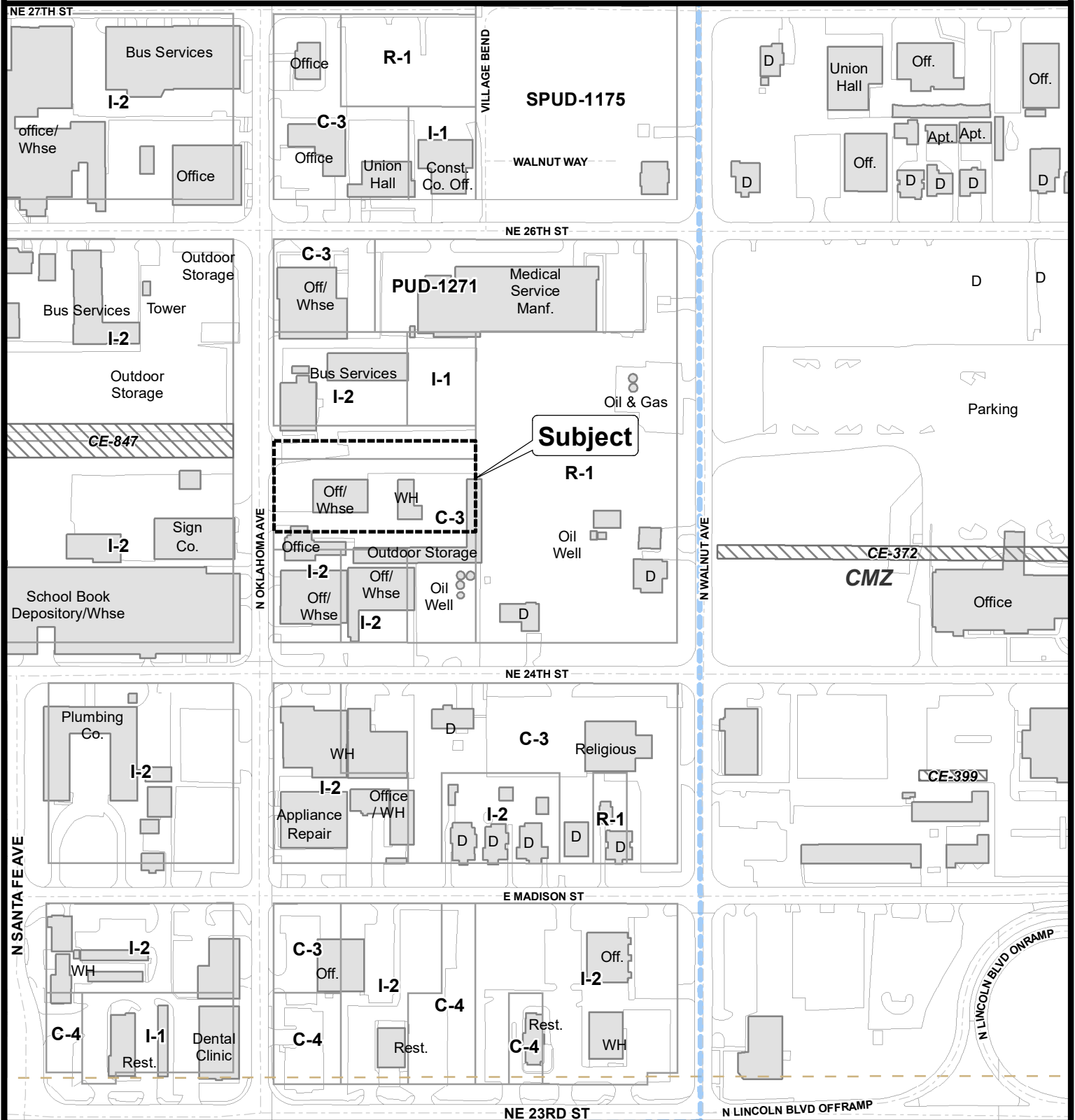
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Approval of the application.

taj

Case No: PC-10831 Applicant: C&L Asset Group, LLC
Existing Zoning: C-3 Proposed zoning: I-2
Location: 2520 N. Oklahoma Ave.



The City of
OKLAHOMA CITY

Rezoning Application



0 100 200 Feet

Case No: PC-10831 Applicant: C&L Asset Group, LLC
Existing Zoning: C-3 Proposed zoning: I-2
Location: 2520 N. Oklahoma Ave.



Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Rezoning Application

