

Planning Commission Minutes
October 27, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 11:18 a.m. on October 24, 2022)

10. (PC-10848) Application by First Church of the Nazarene of Oklahoma City, to rezone 4400 NW Expressway from the R-1 Single-Family Residential District to the C-3 Community Commercial District. Ward 2.

Applicant was present. No protestors were present.

RECOMMENDED APPROVAL.

MOVED BY POWERS, SECONDED BY HINKLE

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

ABSENT: CLAIR



STAFF REPORT
The City of Oklahoma City
Planning Commission
October 27, 2022

Item No. IV. 10.

(PC-10848) Application by First Church of the Nazarene of Oklahoma City, to rezone 4400 NW Expressway from the R-1 Single-Family Residential District to the C-3 Community Commercial District. Ward 2.

I. GENERAL INFORMATION

A. Contacts

Applicant

Jon Middendorf
(405) 843-9588
jon@okcfirst.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to change the existing residential based zoning to a commercial based zoning that will permit the use of the community center commercial kitchen on a rental basis.

D. Existing Conditions

1. Size of Site (6.09 acres)

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1	PUD-1720	O-2	R-4	C-3
Land Use	Church	Undeveloped	Office	Apartments	Apartments

3. 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.

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.

- 4. Development Context:** The subject site is located on the south side of NW Expressway, east of N Meridian Avenue. The site is zoned R-1 and developed with a church and associated buildings. A creek runs along the west boundary of the site, and west of it, at the corner and along both street frontages, are office/commercial buildings and multifamily residential zoned C-3 and O-2. Abutting the site on the east is an office center zoned O-2. Adjacent on the south is an apartment complex zoned R-4. Lake Hefner is across the street to the north and access to the golf course, marina, fire department, and Stars and Stripes Park is available from N Meridian Avenue. The application seeks to rezone the subject site to the C-3 District to allow a commercial kitchen at the church.

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 (Putnam 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) Flood Study will be required to show no rise in FEMA Q 100 and the City of Oklahoma City Q 100 water surface elevation, compared pre-and post-development.
- 5) A portion of subject property is situated within a F.E.M.A. Flood Plain. Therefore, the establishment of Minimum Finish Floor Elevation for each lot within the flood plain will be required (100-year) frequency plus 1'. The Public Works Department Engineering staff shall approve these elevations prior to the filing of the final plat.
- 6) A floodplain activity permit must be submitted for any work contemplated in The Waters of the United States.
- 7) A Corps of Engineers 404 permit must be submitted with plans for any work contemplated within the floodplain, creek, or channel (waters of the United States) included in the case limits.
- 8) 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.
- 9) 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.
- 10) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 11) 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.
- 12) 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.

13) All private roads /streets will have private storm sewer systems.

14) 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

- 1) An existing 12” 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. 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) Proposed wastewater main(s) must be located in a twenty (20) foot wide easement. No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement. All existing unused wastewater services must be abandoned at the wastewater main.

b. Water Comments

- 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 water mains and five (5) foot for other crossings. 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(s).
- 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 and/or right-of-way. No trees, signs, dumpsters, 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).

c. Solid Waste Management

No Solid Waste Management services needed.

12. Planning

a. Comprehensive Plan Considerations

The subject site is within the Urban Low LUTA and within an area where the Transit Oriented layer applies. Policies for both are listed below.

1) LUTA Development Policies:

Site Design:

- Avoid developing within or modification of 100-year floodplains or floodways. (UL)

- Where possible, provide a continuous system of open space along stream corridors or other appropriate areas that link neighborhoods and park lands. (UL)
- Utilize Best Management Practices (BMP) for stormwater whenever possible. (UL)
- Developments should be served by urban water and sewer utility systems. (UL)
- Project design should accommodate easy travel by walking, biking, and transit to the transit stop. (TO)
- Uses should share parking to minimize land area used for parking. (TO)
- Development should complement the goal of a mixed-use “village” environment around major stops or stations to provide easy access to multiple destinations including jobs, shopping, entertainment, and recreation. (TO)
- Developments should have direct pedestrian access on each block face that they occupy. (TO)

The site is within an area the comprehensive plan identifies as “TO”, with a potential transit (BRT) stop at Northwest Expressway and Meridian Ave. Floodway and 100-year floodplain are present on the subject site. The site is already developed. Any new development would be required to comply with City, State, and Federal requirements within the floodplain.

Location:

- Locate uses that generate high traffic volumes along arterial streets, frontage roads, and interstates. (UL)

The subject site is located along NW Expressway, an arterial street.

Automobile Connectivity:

- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points. (UL)
- Retail developments should provide an internal vehicle and pedestrian circulation system between new and existing centers and individual stores. (UL)
- Provide vehicular connectivity between adjacent developments. (UL)
- Connect the vehicular and pedestrian networks between individual developments. (TO)
- Limit curb cuts and automobile accessibility off of the primary commercial street. (TO)

The subject site is located along NW Expressway, an arterial street. The site has one access along NW Expressway and shares access with the abutting office center.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development. (UL)
- Within parking lots, provide pedestrian access ways separated from vehicle aisles. (UL)
- Provide safe and direct pedestrian and bicycle access from adjacent public streets and trails. (TO)

Sidewalks are not available along Northwest Expressway.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating commercial uses adjacent to existing high intensity residential, office, or retail uses, “Traffic”, and “Operational Impact” are potential compatibility issues identified by the comprehensive plan. The site is already developed. No triggers requiring mitigation were identified.
- 3) **Service Efficiency:**
 - Water: *Served*
 - Sewer: *Fully Served Area*
 - Fire Service: *Urban Service Level*
- 4) **Environmentally Sensitive Areas:** The following apply to the proposed development site:
 - Riparian Areas: Riparian areas are vegetated areas adjacent to streams, lakes, ponds, and wetlands that are composed of a mixture of trees, shrubs, and grasses. These areas may also contain floodplain. The comprehensive plan recommends a 100-foot buffer from stream banks. *Riparian area including floodplain is present on the west side of the site. The site has already been developed.*
 - Upland Forests: N/A
 - Vulnerable Aquifers: N/A
- 5) **Transportation System:** This site is located off NW Expressway, a Major Arterial Street in the Urban Low LUTA. The nearest transit (bus) service is located to the south along NW 63rd Street. Bus Rapid Transit (BRT) is planned for Northwest Expressway. At the time of review, the nearest planned stop was one-quarter mile away at Meridian Ave and Northwest Expressway. (*BRT Route Map, May 23, 2022*). Access to the public trail system (Bert Cooper Trail) is available on both sides of Northwest Expressway at N Meridian Ave.
- 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)
- Support and incentivize the adaptive use of existing buildings, infill development, and brownfield development. (G-10)
- Avoid under-grounding streams to the greatest extent possible. Where feasible, encourage the re-surfacing of buried streams. Limit the use of culverts or other structures that alter natural streams, and require designs that minimize impacts to stream health and function. (G-11)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
- 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)

b. Plan Conformance Considerations

The 6-acre subject site is located along the south side of NW Expressway, east of N Meridian Avenue. The site is zoned R-1 and developed with a church and associated buildings. The proposed C-3 District is requested to allow the church kitchen to be leased to caterers. No new compatibility issues were identified with the request.

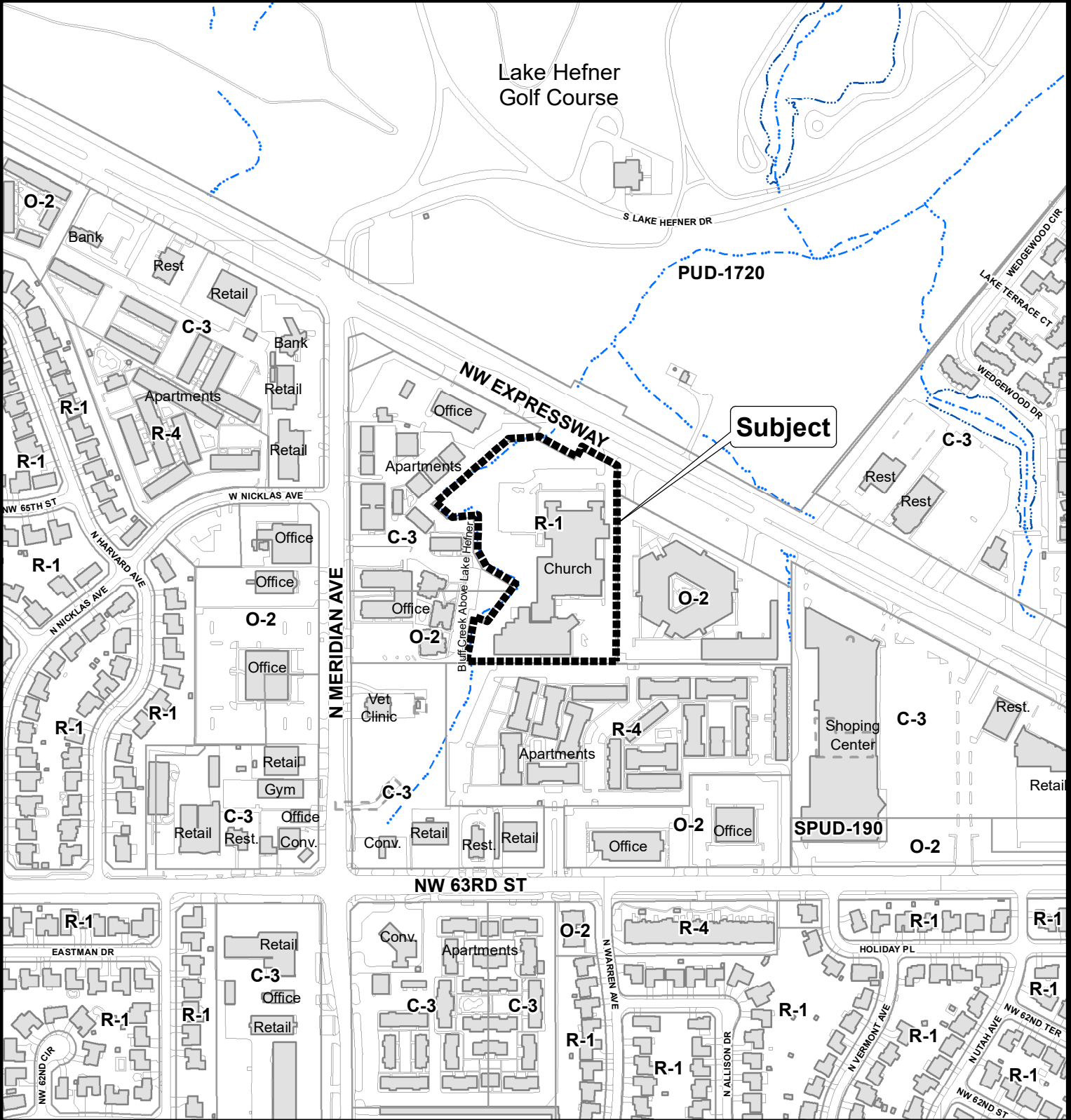
IV. STAFF RECOMMENDATION

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

Case No: PC-10848
Applicant: First Church of the Nazarene of Oklahoma City
Existing Zoning: R-1 Proposed zoning: C-3
Location: 4400 NW Expressway

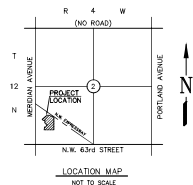


The City of
OKLAHOMA CITY

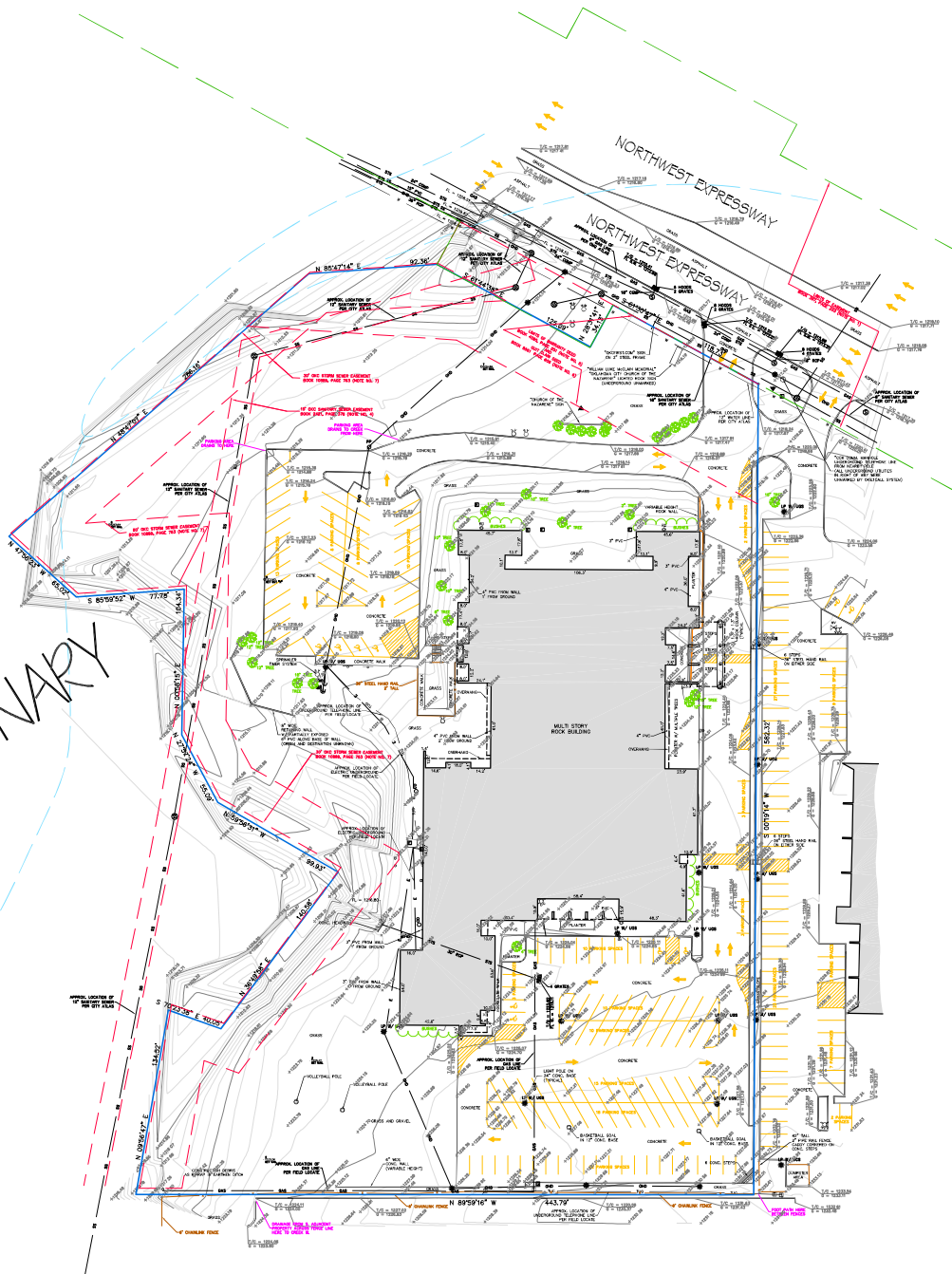
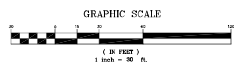
Rezoning Application



0 200 400 Feet



PRELIMINARY

[illegible]

Case No: PC-10848

Applicant: First Church of the Nazarene of Oklahoma City

Existing Zoning: R-1 Proposed zoning: C-3

Location: 4400 NW Expressway



Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Rezoning Application



0 200 400
Feet