



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**November 18, 2021**

**Item No. 37.**

**(PUD-1814) Application by Alvin Gaines Jr. to rezone 1108 NW 116<sup>th</sup> Street from the SPUD-522, R-1 Single Family Residential and R-2 Medium-Low Density Residential District to the PUD-1814 Planned Unit Development District. Ward 2.**

**I. GENERAL INFORMATION**

**A. Contacts**

**Applicant/Developer Representative**

Name        Alvin Gaines Jr.  
Phone       405-755-6148  
Email        Sunsetcourierinc@aol.com

**B. Case History**

This application was continued from the April 22, May 8, May 27, August 12, and October 14, 2021 meetings.

**C. Reason for Request**

This application is to permit expansion of a recreational vehicle storage facility.

**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: 5.01 acres**

**3. Zoning and Land Use**

	<b>Subject Site</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
<b>Zoning</b>	SPUD-522 R-1/R-2	R-3	R-2	R-1/R-2	SPUD-522 R-1
<b>Land Use</b>	Outdoor Storage	Undeveloped	Residential	Church	RV Storage Undeveloped

4. **Development Context:** The subject site includes three separate parcels located west of N Western Avenue at NW 116<sup>th</sup> Street, and along NW 115<sup>th</sup> Street. The northern portion of the subject site along NW 116<sup>th</sup> Street was zoned to SPUD-522 in 2009. The SPUD was negotiated to allow outdoor storage of recreational vehicles, boats and vehicles west of existing home/office, with office uses permitted east of the home/office along Western Avenue. The new PUD would allow the use on the entire SPUD-522 site, and add two areas south of it along NW 115<sup>th</sup> Street, currently zoned R-1 and R-2. Vehicles are currently stored on the entire subject site. To the south across NW 115<sup>th</sup> is a church zoned R-1. To the north is undeveloped property zoned R-3. To the west of the site is undeveloped property zoned R-1. Across N Western Avenue to the east is a residential community.

The PUD requests an I-2 base zone with two permitted uses (Office and Automotive Equipment Storage) for the entire application site.

## II. SUMMARY OF PUD APPLICATION

The PUD will be divided into three tracts with the use and development regulations as follows:

### 8.1 USE AND DEVELOPMENT REGULATIONS FOR TRACT 1

- a) In Tract 1 the use and development regulations of the **I-2 Moderate Industrial District** shall govern the property except as herein modified, including accessory uses subject to their appropriate conditions and review procedures for public hearings where applicable, unless otherwise noted.

The following use(s) will be the only use(s) permitted on this site:  
Administrative and Professional Office (8300.1)  
Automotive and Equipment: Storage (8300.21)

### 8.2 USE AND DEVELOPMENT REGULATIONS FOR TRACT 2

- a) In Tract 2 the use and development regulations of the **I-2 Moderate Industrial District** shall govern the property except as herein modified, including accessory uses subject to their appropriate conditions and review procedures for public hearings where applicable, unless otherwise noted.

The following use(s) will be the only use(s) permitted on this site:  
Automotive and Equipment: Storage (8300.21)

### 8.3 USE AND DEVELOPMENT REGULATIONS FOR TRACT 3

- a) In Tract 3 the use and development regulations of the **I-2 Moderate Industrial District** shall govern the property except as herein modified, including accessory uses subject to their appropriate conditions and review procedures for public hearings where applicable, unless otherwise noted.

The following use(s) will be the only use(s) permitted on this site:  
Automotive and Equipment: Storage (8300.21)

#### **8.4 LANDSCAPE & SCREENING REGULATIONS**

- a) All tracts shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.

#### **8.5 ACCESS REGULATIONS**

- a) Each tract shall obtain access only from the existing approach on NW 116<sup>th</sup> Street. No access shall be allowed on NW 115<sup>th</sup> Street

#### **8.6 SIGN REGULATIONS**

- a) Signs shall comply with Chapter 3 of the OKC Municipal Code provided that no sign shall exceed 200 square feet.

#### **8.7 PARKING REGULATIONS**

- a) Parking in both tracts shall comply with Chapter 59 of the OKC Municipal Code.

#### **8.8 COMMON AREA REGULATIONS**

- a) Maintenance of common areas and private drainage easements is the responsibility of the property within the PUD, and as depicted within covenants and restrictions filed as separate documents. No structures, storage of material, grading, fill or other obstructions, including fences, either temporary or permanent, shall be placed within drainage related common areas or drainage easements.
- b) Common areas and private drainage easements shall be adjusted at the platting stage to include the floodway and 100 year flood plain as defined by a completed flood study.

#### **8.9 OTHER REGULATIONS**

- a) Tract boundaries may be adjusted up to 20% at time of preliminary and/or final platting.
- b) Sidewalks are not required with this application

## **SECTION 9.0 EXHIBITS**

The following exhibits are hereby attached and incorporated into this PUD. These exhibits are:

EXHIBIT A: LEGAL DESCRIPTION

EXHIBIT B: MASTER DEVELOPMENT PLAN MAP

## **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) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 5) 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.

- 6) 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.
- 7) 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.
- 8) 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.
- 9) 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.
- 10) All private roads /streets will have private storm sewer systems.
- 11) Detention Determination
  - A detention requirement determination will not be issued at the Preliminary Plat stage unless the development is located within the current “detention required area”.
  - Prior to the preparation of a Final Plat and Construction Plans, the Engineer or Developer may contact the Public Works Engineering Department and receive a Detention Determination for that individual Final Plat
    - This Detention Determination will be specific to the single Final Plat under consideration
    - The Detention Determination will be valid for a period of six (6) months
    - If the Final Plat and Construction Plans have not been submitted, reviewed, and approved by the Public Works Engineering Department within that 6 month time frame, the Detention Determination will be void and a new Detention Determination must be requested.
    - If construction has not started on the development within six (6) months of the approval of the construction plans, the Detention Determination will be void and a new Detention Determination must be requested.

- For new commercial developments that do not require hearings before the PC or CC, the Engineer or Developer may contact the Public Works Engineering Department and receive a Detention Determination for that commercial development.

**c. Stormwater Quality Management**

**d. Traffic Management**

**8. Utilities**

**a. Engineering**

**Paving\***

**Sanitary Sewer Availability**

- 1) An existing 8” sanitary sewer main(s) is adjacent to the subject site and a connection will be permitted in accordance with City Standard Specifications.
- 2) All sanitary sewer mains must flow within the existing drainage basin. Proposed sewer mains that will flow to another drainage basin across a ridgeline will not be allowed.
- 3) All sanitary sewer mains must have a minimum cover of 6 feet and a depth no greater than 18 feet.
- 4) The developer will be required to extend a gravity sanitary sewer collection system to each lot or site within the subdivision or land improvement in accordance with City Standard Specifications and the current Subdivision Regulations. No private or public lift stations will be allowed.
- 5) Additional Comments: Public sanitary sewer extension is required.

**b. Solid Waste Management**

- 1) The City can 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) The subject site is adjacent to a 12” and 36” water main in the street right-of-way of N Western Ave.
- 2) The developer will be required to extend a minimum 12-inch water main (or larger as recommended by the approved Current Water Master Plan) along the section line street, border or perimeter of the development and/or all interior water mains for domestic use and fire flow protection.
- 3) The developer will provide an internal (on-site) water distribution system capable of supplying water to each lot or tract within the proposed subdivision or land development in accordance with City Standard Specifications and the current Subdivision Regulations.
- 4) Dead-end water mains must be avoided. Connection to at least two active feeder or grid water mains will be necessary to prevent partial or total shut-off of water supply when a pipeline failure occurs within the proposed development.
- 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) No trees, signs, dumpsters or fences within 10 feet of any existing or proposed water main.
- 7) All existing and proposed meters must meet current Meter Specifications. Meters must be in a grassed area. All domestic and fire suppression services must have separate water service connections. All existing unnecessary water services must be abandoned at the water main.
- 8) Additional Comments: Public water main required.

## **9. Planning**

### **a. Comprehensive Plan Considerations**

#### **1) LUTA Development Policies:**

##### Site Design:

- Utilize Best Management Practices (BMP) for stormwater whenever possible.

*National, state, and local permitting require basic best management practices for stormwater management.*



Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. *The FAR is expected to be lower than this range due to the outdoor storage use.*

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.
- Provide vehicular connectivity between adjacent developments.
- Keep existing alleys open and functional.

*The site has one point of entry from N Western Avenue on NW 116<sup>th</sup> Street. The existing business is using unimproved NW 116<sup>th</sup> Street as a driveway. A platted alley runs east-west through the middle of the PUD. No information indicating the alley had been closed was provided. The application prohibits access from NW 115<sup>th</sup> Street, indicating that the alley would be used for cross access and connectivity between the parcels.*

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

*Sidewalks are not available on N Western Avenue or on NW 115<sup>th</sup> Street. Sidewalks are not addressed in the PUD.*

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating Industrial Low Intensity adjacent to existing residential uses and zones, “Building Scale and Site Design”, “Traffic”, and “Operational Impact” are potential compatibility issues identified by the comprehensive plan.

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 PUD allows lot coverage greater than adjacent R-1 zones; and shallower side and rear setbacks than the adjacent R-1 zones. At the time of review, the site appeared unpaved and used for outdoor storage of vehicles.*

*The PUD commits to the landscape code, which would require 5-foot landscape buffers and fencing adjacent to residential. The site is currently fenced but the landscape buffer is not present. The PUD proposes uses that are already present on the property. If outdoor storage is permitted to expand along public streets, landscape buffers should be added around the perimeter of the property.*

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. *Outdoor storage of automobiles including boats and RVs is only permitted within the C-4, I-2 or I-3 District, and screening would be required adjacent to R-1 zones. The PUD proposes Automotive Storage, including for tall recreational vehicles and equipment. The use is already present on the site and screened with wood fences. However, stored vehicles are higher than the existing fencing. If approved as currently developed, trees and other vegetation should be planted around the perimeters of the property in front of the fence screening.*

- 3) **Service Efficiency:**
  - Water: *Fully served*
  - Sewer: *Fully Served*
  - Fire Service: *Urban Service Level*
- 4) **Environmentally Sensitive Areas:** No ESAs were identified on the site.
- 5) **Transportation System:** **This site** is located along N Western Avenue, a Major Arterial Street and NW 115<sup>th</sup> Street, a Connector street, in the Urban Low LUTA. *No sidewalks or transit are available nearby.*
- 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)
- 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)
- New neighborhood-scale retail should be located within new residential growth areas to serve daily shopping needs and limit trip distances. In newly developing areas, this retail format is preferred to the existing linear development patterns along arterials. (SU-30)
- 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 PUD is requested for an outdoor storage use that is already in operation on the west side of N Western Ave near NW 116<sup>th</sup> Street. The subject site was previously approved for zoning that allowed automobile storage on the west half of SPUD-522, but not the east. The auto storage has now expanded to the east half of SPUD-522 along N Western Ave, and to two parcels on the south that have frontage on NW 115<sup>th</sup> Street. The PUD would prohibit access to NW 115<sup>th</sup> Street, so access to the storage areas on the south would be across a platted, unconstructed alley. The proposed subject site is fenced and appears unpaved. A house is used for the business office and accessed from NW 116<sup>th</sup> Street. The proposed auto storage use is only allowed in C-4, I-2 and I-3 Districts. The PUD proposes an I-2 base limited to office and auto storage. It was unclear at the time of review what effect the new PUD would have on the existing operation except to bring the property into zoning conformance. If approved, evergreen trees should be planted around the perimeter of the property at the time of approval instead of with the next building permit, the permitted sign sizes reduced, and sidewalks should be installed along both street frontages.

**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 subject to the following Technical Evaluations:**

1. Trees on 20-foot centers shall be planted on the outside of fences around the perimeter of the entire PUD boundary with any new building permit.
2. Sidewalks shall be constructed along N Western Ave.
3. The existing sign on N Western Ave shall be the only freestanding sign permitted. Should the sign be removed, one new monument sign up to 8 feet tall and 100 square feet shall be permitted.

*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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