



STAFF REPORT
The City of Oklahoma City
Planning Commission
April 14, 2022

Item No. IV. 20.

(SPUD-1400) Application by Williams, Box, Forshee & Bullard, PC., to rezone 1035 NW 112th Street from the R-1 Single-Family Residential District to the SPUD-1400 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name David Box
Company Williams, Box, Forshee & Bullard PC
Phone 405-232-0080
Email dmbox@wbfbllaw.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit an office/warehouse 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: 2.97 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1	R-1	SPUD-988	R-1ZL	PUD-108
Land Use	Oil Well	Residential	Commercial	Res/Com	Residential

4. Development Context: The subject site is located on the north side of NW 112th Street, west of N Western Avenue. The site is zoned R-1 and is undeveloped aside from an oil well and oil storage. The application seeks office/warehouse development similar to what has been built to the east under SPUD-988.

To the south, across NW 112th Street, is a church zoned R-1 and a small R-1ZL parcel that is undeveloped. To the north is a home with an undermined use in the rear zoned R-1. The subject site abuts a neighborhood on the west (PUD-108).

II. SUMMARY OF PUD APPLICATION

This SPUD shall be developed in accordance with the regulations of the **C-3 Community Commercial District** (OKC Zoning Ordinance, 2020), except as modified herein.

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

8300.1 Administrative and Professional Offices
8300.8 Animal Sales & Services: Grooming
8300.11 Animal Sales & Services: Kennel & Veterinary, Restricted
8300.23 Building Maintenance Services
8300.24 Business Support Services
8300.29 Communications Services: Limited
8250.2 Community Recreation: General
8250.3 Community Recreation: Property Owners Association
8250.4 Community Recreation: Restricted
8300.31 Construction Sales & Services
8300.32 Convenience Sales & Personal Services
8250.5 Cultural Exhibits
8350.3 Custom Manufacturing
8350.8 Industrial, Light
8300.48 Laundry Services
8250.11 Library Services and Community Centers
8250.12 Light Public Protection & Utility: General
8250.13 Light Public Protection & Utility: Restricted
8250.14 Low Impact Institutional: Neighborhood-Related
8300.52 Medical Services: General
8300.53 Medical Services: Restricted
8300.55 Participant Recreation and Entertainment: Indoor
8300.58 Personal Services: General
8300.59 Personal Services: Restricted
8300.61 Repair Services: Consumer
8300.62 Research Services: Restricted
8300.63 Retail Sales and Services: General
8300.65 Retail Sales and Services: Pawn Shops
8300.69 Spectator Sports and Entertainment: Restricted
8350.16 Wholesaling, Storage and Distribution: Restricted

The intent of the developer is to construct an office/warehouse development. All uses required to operate an office/warehouse development will be permitted.

2. Maximum Building Height:

One story and 26 feet.

3. Building Setback Lines:

North: 5 feet
South: 10 feet
East: 0 feet
West: 15 feet

4. Sight-proof Screening:

No less than a six-foot and no greater than an eight-foot-high fence or wall shall be required along the boundary of this parcel where it is adjacent to any residential use. Said wall shall be constructed of stucco, brick, stone, wood, or iron and/or any combination thereof and shall be solid and opaque.

5. Landscaping:

The subject parcel shall meet requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development. Landscaping within the entirety of the SPUD shall count towards meeting all landscape requirements for each permit.

6. Signs:

7.1 Freestanding Accessory Signs:

All freestanding signs within this SPUD shall be ground (monument) signs with the maximum size being eight feet high and 100 square feet in area and shall have no less than 25 square feet of landscaping at the base. The signs shall be covered with a material consistent with the commercial buildings they serve. No pole signs will be allowed.

7.2 Attached Signs:

Attached signs shall be in accordance with the base zoning district.

7.3 Non-Accessory Signs:

Non-Accessory signs are specifically prohibited within this SPUD.

7.4 Electronic Message Display Signs:

Electronic Message Display signs are specifically prohibited within this SPUD.

8. Access:

Access to this site will be from two driveways off N.W. 112th St.

Platted lots are not required to have frontage on an approved street. Primary access to individual platted lots shall be permitted from private drives. The private drive shall be placed within a platted common area and/or platted access easement designated for access purposes. A property owners association through the use of recorded covenants and restrictions shall govern maintenance of the private drive.

I. Other Development Regulations:

1. Architecture:

Buildings along the west and south boundaries shall consist of a minimum of 70% brick on the west and south facing walls,. The remaining portions of the building may be EIFS, stucco, wood, or metal. 14' high overhead steel doors will be permitted.

2. Open Space:

N/A.

3. Street Improvements:

No street improvements will be required.

4. Dumpsters:

Dumpsters shall be screened from public view and shall be placed no closer than 50-feet from any residential structure.

5. Parking:

Parking shall conform to Chapter 59, Section 10600 of the OKC Municipal Code, except as otherwise provided herein.

An individually platted lot is not required to provide on-site parking. Required parking and maneuvering may be provided within a common area/private access easement. Off-site shared parking and maneuvering shall be permitted in order to comply with parking requirements.

Parking spaces in front of overhead doors shall be permitted and counted toward meeting parking requirements.

6. Maintenance:

Maintenance of all common areas and amenities shall be the responsibility of the owners of said property.

7. 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.

8. Drainage

Drainage improvements, if required, will be in accordance with applicable sections of the Oklahoma City Code of Ordinances. Drainage ways may be permitted and constructed in accordance with Chapter 16 of the Oklahoma City Municipal Code, which includes certain allowances in construction standards for SPUDS, provided the SPUD is platted with drainage areas confined to common areas. Such drainage ways must be designed to handle adequate flows and cannot be built without specific approval of the City Engineer. The maintenance will be the responsibility of the property owners.

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

- 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) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.

c. Stormwater Quality Management

d. Traffic Management*

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.

b. Solid Waste Management

- 1) The City cannot provide service, contact private hauler.

c. Water/Wastewater Quality

Water Availability

- 1) An existing 8" 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.
- 3) Dead-end water mains must be avoided where applicable.
- 4) All existing unnecessary water services must be abandoned at the water main.
- 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.

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- 6) 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.
- 7) All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 8) 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.
- 9) All domestic and fire suppression services must have separate water service connections.
- 10) 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 does not have frontage on an arterial street. Access would be from a neighborhood street that serves the neighborhood to the west and the light industrial and church uses to the east.

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 regulations could provide 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.

- Primary entrance points should be aligned with access points immediately across the street.
- Provide vehicular connectivity between adjacent developments.

The subject site has two unimproved access points on NW 112th St. At the time of the review, the Master Design Statement and conceptual site plan proposed two drives off NW 112th Street. Not enough information was provided to determine if the eastern drive would align with the new church driveway to the south, or if the new development could be accessed from the development to the east, which is currently fenced.

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.

Sidewalks are not available on the subject site and would not be required in the SPUD. They were not required along NW 112th Street in the SPUD to the east. Northwest 112th Street does not have curb and gutter.

- 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.

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if 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 proposed SPUD limits building height to one story and 26 feet. The SPUD does not vary the code requirement for a 15-foot setback with 5-foot landscape buffer along the west boundary where abutting the residential subdivision. Plan conformance would be strengthened if the setback and landscaping were increased next to homes.*

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. *Traffic is expected to increase on the neighborhood street. NW 112th Street currently provides access to N Western Ave for residential, light industrial and church uses.*

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. *Some uses may have operational impacts near residential uses. The C-3 base zone requires all work and storage to be located inside a building. The SPUD proposes a six to eight foot high fence or wall where abutting residential uses. Plan conformance would be strengthened by ensuring garage doors do not face residences.*

3) Service Efficiency:

- Water: *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 off NW 112th St, a Neighborhood Street in the Urban Low LUTA. The nearest transit (bus) service is located at the intersection of W Hefner Rd and N Western Ave.

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. 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)
- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
- 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)

- 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 north side of NW 112th Street, west of N Western Avenue. The site is zoned R-1 and is undeveloped aside from an oil well and oil storage. The application seeks to extend office/warehouse development that has already occurred adjacent to the site on the east under SPUD-988, although the SPUD to the east allows four uses while the new SPUD would allow several more. Potential compatibility issues are identified on the west where the proposed light industrial and commercial uses would abut a residential subdivision. Plan conformance would be strengthened by limiting uses, increasing the setback and/or landscaping buffer on the west, and ensuring garage doors/bays do not face residences.

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. Westernmost buildings shall not have west facing garage doors.

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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