



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

Item No. IV. 18.

(SPUD-1389) Application by Vickie Mychi Tran Nguyen, to rezone 2215 North Classen Boulevard from the R-2 Medium-Low Density Residential District, Gatewood Urban Conservation District, and Classen Boulevard Overlay District to the SPUD-1389 Simplified Planned Unit Development District, Gatewood Urban Conservation District and Classen Boulevard Overlay District. Ward 6.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name	Kristoffer Klingelhoefter
Phone	410-703-9434
Email	aklingelhoefter@ExencialWealth.com

B. Case History

This is a new application.

C. Reason for Request

This application is to permit a mixed-use community commercial development.

D. Existing Conditions

1. 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.

2. Size of Site: 0.06 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-2 CBO/UCD	R-2 CBO/UCD	PUD-1005 CBO/UCD	R-2 CBO/UCD	R-2 CBO/UCD
Land Use	Commercial	Residential	Office	Office	Residential

- 4. Development Context:** The subject site is located on the west side of N Classen Boulevard, south of NW 22nd Street. The site is zoned R-2 and within the Gatewood UCD and Classen Boulevard Overlays. The site is also subject to (and observing) a Special Building Line on Classen Blvd. The site is developed with a now-vacant commercial building that was previously used as a nail salon. To the north and south are multifamily buildings. To the west (rear) is garage parking for the multifamily building facing NW 22nd Street. Across Classen Boulevard to east is The Classen, a 21-story residential tower. The SPUD would allow limited commercial uses inside the existing building.

II. SUMMARY OF PUD APPLICATION

This site will be developed in accordance with the regulation of the **C-1 Neighborhood 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:

- Three and Four-Family Residential (8200.15)
- Administrative and Professional Offices (8300.1)
- Adult Day Care Facilities (8300.2)
- Alcoholic Beverage Retail Sales (8300.5)
- Animal Sales and Services: Grooming (8300.8)
- Automotive: Parking Lots, as a Principal Use (8300.13)
- Building Maintenance Services (8300.23)
- Business Support Services (8300.24)
- Child Care Centers (8300.25)

Communications Services: Limited (8300.29)
Community Garden (8150.6.1)
Community Recreation: Property Owners Association (8250.3)
Community Recreation: Restricted (8250.4)
Convenience Sales and Personal Services (8300.32)
Cultural Exhibits (8250.5)
Custom Manufacturing (8350.3)
Dwelling Units and Mixed Uses (8200.2)
Eating Establishments: Fast Food (8300.35)
Eating Establishments: Sitdown (8300.37)
Eating Establishments: Sitdown, Alcohol Permitted (8300.38)
Eating Establishments: Sitdown, Limited Alcohol Permitted (8300.39)
Food and Beverage Retail Sales (8300.41)
Greenhouse (8150.6.3)
Home Garden (8150.6.4)
Horticulture (8150.7)
Library Services and Community Centers (8250.11)
Light Public Protection and Utility: Restricted (8250.13)
Live/Work Units. (8200.4)
Lodging Accommodations: Home Sharing (8300.51.1)
Low Impact Institutional: Neighborhood-Related (8250.14)
Medical Services: General (8300.52)
Medical Services: Restricted (8300.53)
Multiple-Family Residential (8200.12)
Murals (8250.16)
Participant Recreation and Entertainment: Indoor (8300.55)
Personal Services: Restricted (8300.59)
Rainwater Harvesting (8150.7.1)
Repair Services: Consumer (8300.61)
Retail Sales and Services: General (8300.63)

Roof Garden (8150.7.2)

Senior Independent Living (8200.13)

Transportation Facilities: Surface Passenger (8400.3)

1. Maximum Building Height:

25 Feet

2. Minimum Lot Size:

2,000 square feet

3. Maximum Building Size:

3,000 Sq ft

4. Maximum Number of Buildings:

One

5. Building Setback Lines: The existing building setbacks shall be deemed to conform. In the event the building is demolished, new development shall meet the setback regulations in place at the time of development.

6. Sight-proof Screening:

Sight-proof screening shall not be required for the existing development. Should the site be redeveloped, screening shall be provided per the regulations in place at the time of development.

7. Landscaping: The right-of-way will be returned to grass. No other landscaping shall be required unless the site is redeveloped. If redeveloped, landscaping shall be provided per the regulations in place at the time of development.

8. Signs

8.1 Freestanding accessory signs

The existing sign shall be allowed to remain. Should the site be redeveloped, signs shall be allowed per the regulations in place at the time of development.

8.2 Attached signs

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

8.3 Non-Accessory Signs

Non-Accessory signs / billboards shall not be allowed.

8.4 Electronic Message Display signs

Electronic Message signs shall not be allowed.

9. Sidewalks

Five-foot sidewalks shall be constructed on the arterial street or 6-foot sidewalks shall be required if the sidewalk is constructed adjacent to the curb, subject to the policies and procedures of the Public Works Department.

10. Access:

There shall be one existing access point from N. Classen Boulevard. Should the site be redeveloped, access shall be per the regulations in place at the time of development.

II. Other Development Regulations:

1. Architecture:

Materials allowed in this SPUD should be the following (all should be allowed to be up to 100% of wall finish) Allowed Materials:

- A. Wood shake-natural or painted finish
- B. Aluminum shake-natural or painted finish
- C. Wood siding
- D. Cement board siding
- E. Stucco
- F. Brick Veneer (Including stone and masonry)
- G. Cast Concrete

2. Open Space:

25 percent of the lot shall be maintained as open space including uncovered parking and paving and landscaped areas.

3. Street Improvements:

No Street improvements shall be required.

4. Site Lighting:

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. All outdoor lights will be directed away from any adjacent residential properties and the abutting streets. To accomplish this, lights shall utilize shields, shades, or other appropriate methods of directing light beams.

5. Dumpsters:

Dumpsters shall not be permitted.

6. Parking:

The existing number of parking shall be deemed sufficient. Should the site be redeveloped, the parking requirements shall be those in place at the time of development.

7. Maintenance:

Maintenance of all common areas in the development and maintenance of all amenities located within the common areas shall be the responsibility of the owner(s) of said property.

8. Drainage:

No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that shall cause a blockage of flow or an adverse effect on the functioning of the storm water facility, shall be placed within the common areas intended for the use of conveyance of storm water, and/or drainage easements shown.

III. Supporting Documents

Exhibit A: Legal Description

Exhibit B: Site Plan

Exhibit C: Photos of existing development

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. 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) 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*

8. Utilities

a. Engineering

Paving

Wastewater Availability

- 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 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) No wastewater service is available for proposed improvements, private on-site sewage disposal systems are required in accordance to ODEQ rules and regulations. On-site sewage disposal system must be installed by an ODEQ certified installer and inspected by ODEQ.
- 7) Proposed wastewater main(s) must be located in a twenty (20) foot wide easement.
- 8) No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.

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) An existing 6" 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.
- 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) A 12-inch water main is required to be looped through the development to provide adequate water supply and fire flow protection. Connection to two (2) separate active water mains is required to prevent partial or total shut-off of water supply when a pipeline failure occurs within the proposed development.
- 9) 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.
- 10) All domestic and fire suppression services must have separate water service connections.

- 11) 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

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

1) LUTA Development Policies:

Site Design:

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

Location:

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

Density: The non-residential Floor to Area Ratio (FAR) range for the UM LUTA is 0.4 to 1.2 with a typical FAR of 1, and a minimum of 0.5 in TO areas.

National, state, and local permitting require basic best management practices for stormwater management. The new SPUD would allow commercial uses inside the existing building. The existing development's FAR is 1.04.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.
- Limit curb cuts on arterial streets and where possible, concentrate access for retail development at shared entrance points.

The SPUD maintains the existing access onto Classen Blvd. If the site is ever redeveloped, access will be per the regulations in place at the time of development.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.
- Discourage widening of neighborhood streets and increasing curb radii.

Sidewalks are not available but would be required with expansion or redevelopment of the site.

- 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 retail/commercial uses adjacent to existing medium intensity residential uses, “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 is already developed. No new compatibility issues were identified.*

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 SPUD proposes a C-1 base with limited uses inside an existing commercial building. The site has previously been used as a nail salon.*

- 3) **Service Efficiency:**
- Water: *Served*
 - Sewer: *Fully Served*
 - Fire Service: *Urban Service Level*
- 4) **Environmentally Sensitive Areas:** No ESAs were identified on the proposed development site.

- 5) **Transportation System:** This site is located off N Classen Blvd, a Major Arterial Street within Urban Medium LUTA and Transit Oriented Layer. Transit (bus) service is available along Classen Blvd with a bus top located north of NW 22nd Street. Classen Blvd is also a future BRT route.
- 6) **Other Development Related Policies**
 - Encourage the integration and mixing of land uses in urban areas. (SU-1)
 - 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)
 - Support and incentivize the adaptive use of existing buildings, infill development, and brownfield development. (G-10)
 - 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 2,178-square-foot subject site is located on the west side of N Classen Boulevard, south of NW 22nd Street. The site is within the Urban Medium LUTA and within a Transit Oriented area. Bus service is available on Classen Blvd, and the arterial corridor is a future BRT route. The site is developed with a now-vacant 1,140 square foot commercial building that was previously used as a nail salon. The SPUD would allow additional uses inside the existing building. No changes to the site layout are planned. In the event the site is redeveloped, new development will conform to the regulations in place at the time of redevelopment.

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.

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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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