



STAFF REPORT
The City of Oklahoma City
Planning Commission
January 12, 2023

Item No. IV. 13.

(PC-10861) Application by Brent and Sara Hale Revocable Trust, to rezone 115 SE 21st Street from R-1 Single-Family Residential, R-2 Medium-Low Density Residential, and MH Manufactured Home Overlay Districts to I-2 Moderate Industrial and MH Manufactured Home Overlay Districts. Ward 4.

I. GENERAL INFORMATION

A. Contacts

Applicant

Brent Hale
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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 an industrial based zoning that will permit industrial use and development.

D. Existing Conditions

1. Size of Site (1.96 Acres)

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1 / R-2 / MH	I-2	R-2	I-2	I-2
Land Use	Undeveloped	Residential	residential	Manufacturing	Undeveloped

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.

- 4. Development Context:** The subject site is located one block west of S Central Avenue between SE 20th and SE 21st Streets and consists of two portions of property separated by undeveloped right-of-way. The site is predominantly zoned R-2. The site and surrounding area are also within the Manufactured Home Overlay District (MH). The S Central Avenue corridor is lined with C-4 zoned businesses and homes. The corridor is bordered by R-2 zoning and residential uses on the east and west. The subject site is located where the paving on SE 20th Street stops and the zoning transitions to I-2. Land north and west is zoned I-2. Land to the south is zoned I-1. A cabinet shop is located to the southwest. The application seeks to rezone the subject site to the I-2 District to allow a warehouse development and bring all property under common ownership into the same zoning district.

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

1. An existing 15" wastewater main(s) is located adjacent to the subject site(s).
2. Line capacity is not guarantee and must be checked by the Engineer of Record and reviewed by the City.
3. The developer will be required to extend the City wastewater collection system to and across each lot or site within the subdivision in accordance with the City Standard Specifications and Private Development Design Manual.
4. Minimum ten (10) feet horizontal separation is required from water mains and five (5) feet for other utilities. Minimum two (2) feet vertical separation required for all crossings. All wastewater mains must have a minimum cover of four (4) feet and depth no greater than eighteen (18) feet. Developer is

responsible for remediating any failure to maintain the minimum four (4) feet of cover.

5. Wastewater main(s) must be centrally located in a twenty (20) feet wide easement or larger if necessary. No trees, signs, dumpster, fence, and/or structures shall be permitted over any proposed or existing utility main. An approved revocable permit must be obtained to have any private improvement located within any utility easement and/or right-of-way.
6. All existing unused private wastewater service connections must be abandoned and capped at the main in accordance with City Standard Specifications and Private Development Design Manual.

b. Water Comments

1. An existing 10” water main(s) is located adjacent to the subject site(s).
2. Minimum ten (10) feet horizontal separation required from wastewater mains and five (5) feet for other utilities. Minimum two (2) foot vertical separation required for all utility crossings. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
3. Proposed and/or existing water mains must be located centrally within a twenty (20) feet wide or larger utility easement or right-of-way. No trees, signs, dumpster, fence, and/or structures shall be permitted over any proposed or existing utility main. An approved revocable permit must be obtained to have any private improvement located within any utility easement and/or right-of-way.
4. Dead-end water mains must be avoided when possible. All existing unused water services must be capped and abandoned at the water main in accordance with the City Standard Specifications.
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 or fire protection systems which require water pressure in excess of 25 psi. The developer is responsible for installing pressure reducers if necessary for protection of developer’s service lines, plumbing, and fixtures.

6. All existing and/or proposed water meters must be located in the right-of-way and/or utility easement within grassy areas outside of sidewalks, driveways, streets, and paving.
7. All domestic and fire suppression services must have a separate water service connection. Fire hydrant spacing shall not exceed 500 feet and must be located within ten (10) of a hard surface (i.e., sidewalk, street, paving).
8. Supply capacity for development is not guarantee and will be reviewed at time of review of construction documents.

c. Solid Waste Management

No Solid Waste Management services needed.

12. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- 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.

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.

National, state, and local permitting require basic best management practices for stormwater management. The proposed I-2 District regulations would allow a FAR within or below the UM range.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.
- Protect existing traditional street grid and reconnect it where possible.
- Keep alleys open and functional.

The site currently has two unimproved access points along SE 21st Street. It was unclear at the time of review how access would be addressed on the site and cannot be stipulated in a base zoning request. Neither SE 20th nor SE 21st Street extend west past Lightning Creek.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are not available on the subject site or in the surrounding area. Sidewalk requirements would be per Code and cannot be stipulated in a base zoning request.

- 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 industrial uses adjacent to existing residential development or zoning (east), “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 I-2 District limits building height to 35 feet and requires a 25-foot setback, screening, and a landscape buffer when adjacent to the R-2 District.*

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. *The proposed I-2 District would allow light and moderate industrial uses. It is unknown what type or frequency of truck traffic would occur on the site.*

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 subject site abuts both I-2 and R-2 zoning districts. Potential operational impacts are identified when locating light to moderate uses adjacent to the residences on the east and the south. Mitigation measures beyond Code requirements cannot be stipulated in a base zoning request.*

- 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 SE 21st Street, with frontage along SE 20th Street, both Neighborhood Streets in the Urban Medium LUTA. The nearest transit (bus) service is located just east of the site along both sides of S Central Avenue. Access to the City trail system is available to the northwest along the Oklahoma River.
- 6) **Other Development Related Policies**
 - Encourage redevelopment and infill development on vacant, underutilized, and brownfield sites in urbanized areas. (SU-19)
 - Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
 - Share parking between contiguous developments. (C-31)
 - Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
 - 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 one block west of S Central Avenue between SE 20th and SE 21st Streets, within the Urban Medium LUTA. The application seeks to rezone the subject site to the I-2 District. The proposed zoning is consistent with the I-2 zoning to the north and west and the I-1 District to the south, but potential operational impacts are identified adjacent to homes on the east and across the street to the south. Code regulations will limit building height to 35 feet and require a 25-foot setback with screening and a landscape buffer when adjacent to the R-2 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.

Approval of the application

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