



STAFF REPORT
The City of Oklahoma City
Planning Commission
July 27, 2023

Item No. IV. 6.

(SPUD-1544) Application by Keshav, LLC to rezone 1021 Straka Terrace from C-3 Community Commercial and O-2 General Office Districts to SPUD-1544 Simplified Planned Unit Development District. Ward 5.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name Mark Zitzow
Company Johnson And Associates
Phone 405-235-8075
Email mzitzow@jaokc.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow the expansion of office and warehouse space for Variety Care.

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.

Comprehensive Plan Land Use Typology Layer: Regional District (RD)

The RD layer designates areas that strategically prioritize the location and concentration of regionally serving retail and entertainment uses. This includes major national retailers that have a regional draw, as well as concentrations of retail that draw visitors from outside of the city. Uses that generate sales-tax are a priority within RD areas. Complementary uses such as office, entertainment, high density housing, and services may be appropriate as limited secondary uses, provided they are inter-connected to create mixed use urban centers.

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: 1.427 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	C-3/O-2	C-3	C-3/O-2	R-3	C-3/O-2
Land Use	Undeveloped	Hotel	Hotel	Residential	Variety Care

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulation of the **O-2, “General Office” 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:

- Administrative and Professional Offices (8300.1)
- Adult Day Care Facilities
- Automotive: Parking Garages (8300.12)
- Automotive: Parking Lots, as a Principal Use (8300.13)
- Automotive and Equipment: Cleaning and Repairs, Light Equipment (8300.14) limited to the work completed inside of a structure.
- Automotive and Equipment: Storage (8300.21) limited to the storage of vehicles interior to a building. There shall be no outdoor storage.
- Business Support Services (8300.24)
- Child Care Centers (8300.25)
- Communications Services: Limited (8300.29)
- Community Recreation: General (8250.2)
- Community Recreation: Property Owners Association (8250.3)
- Community Recreation: Restricted (8250.4)

- Cultural Exhibits (8250.5)
- Dwelling Units and Mixed Uses (8200.2)
- Funeral and Interment Services: Undertaking (8300.44)
- Greenhouse (8150.6.3)
- Hoop House (8150.6.5)
- Library Services and Community Centers (8250.11)
- Light Public Protection and Utility: General (8250.12)
- Light Public Protection and Utility: Restricted (8250.13)
- Live/Work Units (8200.4)
- Lodging Accommodations: Bed and Breakfast (8300.49)
- Lodging Accommodations: Commercial Lodging (8300.51)
- Low Impact Institutional: Neighborhood-Related (8250.14)
- Medical Services: Restricted (8300.53)
- Personal Services: General (8300.58)
- Personal Services: Restricted (8300.59)
- Research Services: Restricted (8300.62)
- Wholesaling Storage and Distribution: Restricted (8350.16) Ancillary to an office use. There shall be no outdoor storage associated with this use.

2. Maximum Building Height:

The maximum height of any building shall be 45 feet.

3. Maximum Building Size:

There shall be no maximum building size within this SPUD.

4. Maximum Number of Buildings:

There shall be no maximum number of buildings within this SPUD.

5. Building Setback Lines:

North: 25 feet
East: 5 feet
South: 15 feet
West: 5 feet

6. Sight-proof Screening:

No Screening shall be required within this SPUD.

7. Landscaping:

The subject site shall meet all requirements of Oklahoma City's Landscaping Ordinance in place at the time of development.

8. Signs:

8.1 Freestanding Accessory Signs

No pole signs will be allowed.

Freestanding signage shall be in accordance with the O-2, "General Office" District regulations.

8.2 Attached Signs

Attached signs shall be in accordance with the O-2, "General Office" District regulations.

8.3 Non-accessory Signs

Non-accessory signs are not permitted in this SPUD.

8.4 Electronic Message Display Signs

Electronic Message Display signs shall not be permitted in this SPUD.

9. Access:

Access shall be taken from C A Henderson Blvd via a maximum of two (2) private drives.

10. Sidewalks:

Five-foot sidewalks shall be constructed on Straka Ter and C A Henderson Blvd 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. All sidewalks shall be in place prior to any occupancy certificates being issued.

II. OTHER DEVELOPMENT REGULATIONS:

1. Architecture:

All structures constructed within this SPUD shall comply with the following architectural standards:

Exterior building wall finish on all structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock, concrete board or stone masonry. No more than 30% EIFS, stucco, wood, or architectural metal shall be permitted. Treated metal buildings shall be permitted for the Wholesaling Storage and Distribution: Restricted (8350.16) use unit. Buildings shall be oriented such that the backs of buildings are not facing towards any street.

2. Open Space:

N/A

3. Street Improvements:

N/A

4. Site Lighting:

All site lighting utilized within this SPUD shall be directed away from any adjacent properties. To accomplish this, lights shall utilize shields, shades or other appropriate methods of directing light beams. 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.

5. Dumpsters:

Dumpsters shall be consolidated where practical and located within an area screened by a fence or masonry wall of sufficient height to screen the dumpster from view. Said dumpster shall not be permitted within 50 feet from all property lines adjacent to residential uses.

6. Parking:

The design and number of all parking facilities in this SPUD shall be in accordance with Section 59, Article X of the Oklahoma City Municipal Code, 2020, as amended.

7. Maintenance:

Maintenance of development within this SPUD shall be the responsibility of the developer and/or property owner.

8. Drainage:

Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

9. Platting:

Platting shall not be required within this SPUD.

11. Other:

N/A

III. SUPPORTING DOCUMENTS

- Exhibit A: Legal Description
- Exhibit B: Boundary Exhibit
- Exhibit C: Conceptual 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: 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) 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 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 8” wastewater main(s) is located adjacent to the subject site(s).
- 2) Line capacity is not guaranteed 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. Solid Waste Management

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

a. Water/Wastewater Quality

Water Availability

- 1) An existing 8” and 12” 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 guaranteed and will be reviewed at time of review of construction documents.

9. Planning

a. Comprehensive Plan Considerations

The subject site is within the Urban Low Intensity Area (UL), and within an area where both the Regional District (RD) and Transit Oriented (TO) layers apply. Policies for each are listed below.

1) LUTA Development Policies:

Site Design and Building Form:

- Utilize Best Management Practices (BMP) for stormwater whenever possible. (UL)
- Developments should be served by urban water and sewer utility systems. (UL)
- Provide heavy landscaping along all frontages. (RD)
- All signage should be designed to provide visual coherency, which includes a consistent and cohesive pattern of materials, lighting, and height. No more than two primary centralized signs per center should be allowed. (RD)
- 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)
- Incorporate shallow building setbacks and wide sidewalks to accommodate pedestrian activity. (TO)
- Developments should have direct pedestrian access on each block face that they occupy. (TO)

National, state, and local permitting require basic best management practices for stormwater management. Public water and sewer are available. Sidewalks will be provided along both streets and landscaping would be per Code, which will require landscaping in front and side yards, parking lots, and one street tree planted for every 40 feet of frontage.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. *RD is same as base LUTA. The Transit Oriented (TO) LUTA outlines a FAR of 0.4 to 1.2 for non-residential developments in the Urban Low Intensity area.*

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. (UL)
- Primary entrance points should be aligned with access points immediately across the street. (UL)
- Provide vehicular connectivity between adjacent developments. (UL)
- Horizontally mixed-use developments should have connectivity between land uses. (UL)
- Development should take access off of streets intersecting arterials. Mid-block development should use shared access points. (RD)
- Connect the vehicular and pedestrian networks between individual developments. (TO)

The site currently has no improved access. The SPUD proposes a maximum of two drives from C A Henderson Boulevard.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development. (UL)
- Within parking lots, provide pedestrian access ways separated from vehicle aisles. (UL)
- Horizontally mixed-use developments should have public sidewalk connectivity between land uses. (UL)
- Include an internal pedestrian system that allows customers to park once and conveniently walk to several destinations within a retail center. (RD)

- Provide safe and direct pedestrian and bicycle access from adjacent public streets and trails. (RD & TO)

Sidewalks will be required by the SPUD along Straka Terrace and C A Henderson Boulevard.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. The site is already zoned for office uses on the south, and all C-3 uses on the north. The site faces homes on the south. The MDS states auto repair uses will occur inside buildings and prohibits outdoor storage. The site plan does not indicate loading docks or bays for warehousing use. Should they be needed at a future point, they should not face south or west.
- 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 at the northeast corner of Straka Terrace and C A Henderson Boulevard, both Neighborhood Streets in the Urban Low LUTA. The nearest transit (bus) service is located to the north along the W I-240 Service Road.
- 6) **Other Development Related Policies**
 - Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
 - Improve the functionality and efficiency of the street network by:
 - Providing direct connections from residential developments to nearby places and to each other.
 - Providing street and sidewalk stubs to adjacent vacant land in anticipation of future development.
 - Connecting new development to existing street and sidewalk stubs, and to existing trail, open space, and bicycle networks.
 - Reducing block sizes and use of dead-end streets.
 - Maintaining the existing street grid to preserve connectivity and mobility options. (C-11)
 - 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)
 - 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 at the northeast corner of Straka Terrace and C A Henderson Blvd, which is generally located south of I-240 and west of S Western Ave. The north half of the site is zoned C-3, consistent with land to the north and abutting on the east and west. The south half of the site is zoned O-2, consistent with the land to its east and west. Across Straka Terrace to the south are duplexes zoned R-3.

The site abuts hotels on the east and north. Across the street to the west is Variety Care. The new SPUD is requested for office and warehouse space for Variety Care. The SPUD maintains an O-2 base, limits uses to those needed for the expansion, limits size and height of signs, requires sidewalks, and limits access to two drives on C A Henderson Blvd. Landscaping and street trees will be required. The corner (street) setback needs to be modified to 15 feet. No loading bays are illustrated, but if needed in the future should not face south or west.

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. The corner side yard setback shall be 15 feet.
2. If loading docks/bays are proposed, they shall not face south or west.

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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