



The City of Oklahoma City
Planning Commission
STAFF REPORT
May 27, 2021

(PC-10732) Application by Shawn Mathews, to rezone 8809 and 8819 South Sunnyslane Road from the SPUD-514 Simplified Planned Unit Development District to the I-1 Light Industrial District. Ward 4.

I. GENERAL INFORMATION

A. Contacts

Applicant

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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 mixed residential and limited industrial based zoning to a industrial based zoning that will permit light industrial use and development.

D. Existing Conditions

1. Size of Site (2 Acres)

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	SPUD-514	R-1	PUD-595	SPUD-317	R-1
Land Use	Residential / Warehouse	Residential	Office / Warehouse	Mini-Storage	Residential

3. 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.

4. Development Context: The 1.92-acre subject site is located along the west side of S Sunnyslane Rd, north of SE 89th St. The site is developed with a metal-clad shop for a construction company.

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The site is zoned SPUD-514 which was approved in 2009 for an existing home on the south, storage for up to eight commercial trucks in the center, and residential on the north. Since then, a large storage facility has been built to the south at the corner of SE 89th Street and S Sunnyslane, commercial buildings have been built under SPUD-67 (I-1) across the street and are occupied by auto repair/detailing businesses, and homes have been built to the north/northwest across Crutch Creek. The rezoning request seeks to rezone the developed construction use and the undeveloped land to its north to the I-1 District; the existing home is not included in the application.

The rezoning would expand uses that could occur on the property to all I-1 uses, and would eliminate a provision in SPUD-514 that allowed Outdoor Sales and Display and Outdoor Storage (8300.54) which is not permitted under the proposed I-1 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 (Moore)**
- 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

1) Storm Sewer

- a) 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.
- b) 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. The improvements shall be placed to provide a minimum of 35 feet clearance distance from the centerline of the section. Concrete channels must be entirely outside public right-of-way. Sidewalks shall be constructed in compliance with the Oklahoma City Ordinance and meet all applicable ADA regulations.
- c) A flood/drainage study will be required to establish finished floor elevations, common lot areas or private drainage easements. The study must be reviewed and approved by the Public Works Department.
- d) A portion of the subject property is situated within a FEMA Flood Plain. Therefore, the establishment of Minimum Finish Floor Elevation for each lot within the flood plain will be required (100-year frequency plus one-foot). These elevations shall be approved by the Public Works Department Engineering staff prior to filing of the final plat.
- e) 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.

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Building permits will not be issued until construction is complete. If a subdivision abuts a stream, the private drainage easements and/or common areas along the stream shall extend to the flow line of the stream at a minimum.

- f) 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's association. No structures, storage of material, grading, fill or other obstructions, including fences, either temporary or permanent shall be placed within the drainage-related common areas and/or drainage easements shown.
- g) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- h) 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 ½ acre or greater.
- i) 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.
- j) Sidewalks shall be installed for all new construction and/or at the time of conversion of a residential use to a more intense use on all lots having frontage on a public street classified s major or minor arterial.
- k) All private road/street will have private storm sewer system.
- n) 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.

8. Streets, Traffic and Drainage Maintenance *

9. Stormwater Quality Management

10. Traffic Management *

11. Utilities

a. Engineering

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) No trees, signs, dumpsters, or fences within 10 feet of any existing or proposed sanitary sewer main.
- 4) All existing unnecessary sanitary sewer services must be abandoned at the sanitary sewer main.

b. Solid Waste Management *

c. Water/Wastewater Quality

Water Availability

- 1) The subject site is adjacent to a 16” water main in the street right-of-way of N Cemetery Rd.
- 2) 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.
- 3) No trees, signs, dumpsters or fences within 10 feet of any existing or proposed water main.
- 4) No structures within 20 feet of any existing or proposed water main or fire hydrant.
- 5) 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.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Avoid developing within or modification of 100-year floodplains or floodways.
- Where possible, provide a continuous system of open space along stream corridors or other appropriate areas that link neighborhoods and park lands.
- Utilize Best Management Practices (BMP) for stormwater whenever possible.
- Developments should be served by urban water and sewer utility systems.

Crutch Creek runs through/along the northern boundary of the subject site. Floodplain is likely, but a flood study would be required to determine the boundary. National, state, and local permitting require basic best management practices for stormwater management.

Location:

- Locate uses that generate high traffic volumes along arterial streets, frontage roads, and interstates.

The subject site is located along S Sunnyslane Rd, an arterial street.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. *The current development provides a FAR within the LUTA range, and the I-1 District allows for development within the 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.
- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.
- Primary entrance points should be aligned with access points immediately across the street.
- Provide vehicular connectivity between adjacent developments.

The site currently has one paved access point from S Sunnyslane Rd. Access cannot be defined within a base zoning request.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.
- Within parking lots, provide pedestrian access ways separated from vehicle aisles.

Sidewalks are not present along the subject site or the home to the south. They have been installed along S Sunnyslane Rd where new development has occurred, and would be required with new construction.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating Low Intensity Industrial 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. *When adjacent to R-1, development regulations within the I-1 District require lower building heights, increased setbacks, sight-proof screening, and landscape buffers. Crutcho Creek separates the subject site from the residential neighborhood. Additional mitigation measures cannot be defined within base zoning requests.*

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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 I-1 District allows for a variety of commercial and light industrial uses that could have operational impacts near residential uses. Code requires screening and landscaping adjacent to residential uses, and outdoor storage is not allowed. In this case, the undeveloped portion of the site abuts R-1 zoning on the north and west, but the homes are located approximately 200 feet away and separated by a tree-lined creek. The southwest corner of site abuts a subdivision. The parking area is setback at least 30 feet from the home's back fence and trees have been planted in the setback. Mitigation measures beyond the base zoning requirements cannot be defined within a base zoning request.*

3) Service Efficiency:

- Water: *Fully Served*
- Sewer: *Fully Served*
- Fire Service: *Urban Service Level*

4) Environmentally Sensitive Areas: The following apply to the proposed development site:

- Riparian areas: Riparian areas are vegetated areas adjacent to streams, lakes, ponds, and wetlands that are composed of a mixture of trees, shrubs, and grasses. These areas may also contain floodplain. The comprehensive plan recommends a 100-foot buffer from stream banks. *Riparian area is present on the subject site. The comprehensive plan recommends a 100-foot buffer from the stream banks. Riparian area protections cannot be specified within base zoning requests.*

0 Upland Forests: N/A

1 Vulnerable aquifers: N/A

5) Transportation System: This site is located off S Sunnyslane Rd, a Major Arterial Street in the Urban Low LUTA. *The nearest bus transit is just under 2 miles to the north along S Sunnyslane Rd at SE 59th St.*

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)
- 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)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
- Incorporate natural features (such as ponds, lakes, streams, rock outcroppings, stands of mature trees, and/or sizeable individual trees) into the design of all residential, commercial, and industrial projects rather than eliminating, hiding, or limiting access to those features. (E-31)
- 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 along the west side of S Sunnyslane Road, north of SE 89th Street. The application proposes rezoning a portion of SPUD-514 to the I-1 District. The south half of the site is developed with a construction company, and the north half is undeveloped. The SPUD would increase the uses allowed on the property while eliminating the provision for outdoor storage approved in SPUD-514. The comprehensive plan identifies potential compatibility issues when industrial zoning abuts residential zoning. In this case, the southwest corner of the site abuts a subdivision (Elizabeth Heights). The subject site has been developed with the parking area set back 30 feet, fence screening, and trees planted within the setback. The subject site also abuts residential zoning on the north and west, but is separated from the subdivision to the north (Bradford Place Estates) by the tree-lined creek. The proposed uses are consistent with development along the S Sunnyslane Rd corridor south to SE 89th Street.

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.

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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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