



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**June 13, 2024**

**Item No. IV. 11.**

**(PUD-2012) Application by Zeus Developments, LLC to rezone 7001 NW 150<sup>th</sup> Street from PUD-1654 Planned Unit Development District to PUD-2012 Planned Unit Development District. Ward 8.**

**I. GENERAL INFORMATION**

**A. Contacts**

**1. Applicant/Developer Representative**

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**

The purpose of this application is to allow commercial uses and development, specifically a self-storage facility.

**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: 10.4 acres**

**3. Zoning and Land Use**

	<b>Subject Site</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
<b>Zoning</b>	PUD-1654	AA	AA	AA	PUD-636/AA
<b>Land Use</b>	Self-storage	Undeveloped School Land	Agriculture	Religious Institution	Undeveloped/ Elementary School

## **II. SUMMARY OF PUD APPLICATION**

The use and development regulations of the C-3 Community Commercial District shall govern this PUD, except as herein modified.

The following uses shall be permitted:

- 8300.1 Administrative and Professional Offices
- 8300.23 Building Maintenance Services
- 8300.24 Business Support Services
- 8300.29 Communication Services: Limited
- 8250.5 Cultural Exhibits
- 8350.3 Custom Manufacturing
- 8350.8 Industrial, Light
- 8300.48 Laundry Services
- 8200.5 Low Impact Institutional: Residential-Oriented
- 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
- 8300.60 Personal Storage
- 8300.61 Repair Services: Consumer
- 8350.10 Research and Development
- 8300.62 Research Services: Restricted
- 8300.63 Retail Sales & Services: General
- 8350.16 Wholesaling, Storage and Distribution: Restricted

### **9.0 SPECIAL CONDITIONS**

The following special conditions shall be made a part of this PUD:

#### **9.1 FAÇADE REGULATIONS**

Exterior building wall finish on all structures, exclusive of windows and doors, shall consist of materials such as brick, brick veneer, stucco, rock or stone masonry, masonry textured surfaces and shall also be permitted the flexibility to incorporate architectural materials compatible with the overall development (i.e. architectural metal, architectural concrete such as tilt-up concrete panels and split face concrete block, exterior grade, decay-resistant, solid wood or cement-board may also be permitted). Specific uses which propose to incorporate alternative materials not listed above will be reviewed by Planning Commission through the Specific Plan process.

## **9.2 LANDSCAPING REGULATIONS**

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

## **9.3 LIGHTING REGULATIONS**

The existing site lighting shall be permitted to remain and deemed to conform to applicable regulations. In the event of a new structure, the site lighting in this PUD shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended.

No new freestanding light poles shall be permitted in future construction.

To minimize light spillover, outdoor lights within the development will utilize shields, shades, or other appropriate methods of directing light beams.

## **9.4 SCREENING REGULATIONS**

The subject parcel shall meet all requirements of the City of Oklahoma City's applicable Ordinances in place at the time of development, except as modified herein. Site proof screening 6 to 8 feet height shall be required along the West, North, and East property lines in between buildings. Decorative fencing will be installed in the front of the self-storage buildings. Additional fencing may be used in parts of the North and East property lines.

## **9.5 PLATTING REGULATIONS**

Platting shall be permitted but not required within this PUD.

## **9.6 DRAINAGE REGULATIONS**

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

## **9.7 DUMPSTER REGULATIONS**

Dumpsters (including compactors and recycling areas) shall be consolidated where practical and located within an area screened by a fence or masonry wall of sufficient height that screens the dumpster from view.

Trash collection facilities in this PUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.

**9.8 ACCESS REGULATIONS**

There may be two (2) access drives from NW 150th St. There shall be no minimum separation requirement within this PUD.

**9.9 PARKING REGULATIONS**

The design and number of all parking facilities in this PUD shall be in accordance with Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended. Outdoor storage of boats, RVs, and cars shall be prohibited, except that canopy covered parking or enclosed parking shall be used as permitted by an exception to said prohibition.

**9.10 SIGNAGE REGULATIONS**

**9.10.1 FREESTANDING ACCESSORY SIGNS**

The existing freestanding sign shall be permitted to remain and deem to conform to applicable regulations as applied to both tracts. In the event of a new freestanding accessory sign, it will be in accordance with the base zoning district regulations.

**9.12 SIDEWALK REGULATIONS**

Sidewalks shall not be required within this PUD.

**9.13 HEIGHT REGULATIONS**

Any multi-story commercial building adjacent to the boundary of residential properties shall be designed so that the wall facing residential properties contains either no upper story window or upper story windows with opaque glass.

The base zoning district regulations shall regulate heights of structures in this PUD.

**9.14 SETBACK & LOT WIDTH REGULATIONS**

With the exception of Personal Storage uses, setbacks shall conform to the C-3 regulations.

The minimum lot width/frontage within this PUD shall be 25 feet. In the event the current tract is subdivided in such a manner to reduce the existing lot frontage from 50' to 25', a cross access agreement will be executed providing the full 50' right of access for the resultant tracts.

**9.15 PERMIT REQUIREMENTS**

Applications for building permits in the commercial or industrial part of this PUD must include an overall PUD site plan that depicts the location of the proposed building permit and the size and

address of all existing buildings as well as all existing parking and landscaping in the commercial/industrial part of the PUD and parking and landscaping proposed for the building for which a building permit is requested.

#### **9.16 PUBLIC IMPROVEMENTS**

Public improvements shall be made by the property owner throughout the PUD as required by the City of Oklahoma City Public Works Department or other City, County, or State Department or agency. All Local, State, and Federal ordinances as they shall apply to the site will be adhered to fully.

#### **9.17 COMMON AREAS**

Maintenance of the common areas in the development shall be the responsibility of the property owner or Property Owners Association. 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. Certain amenities such as, but not limited to, walks, benches, piers, and docks, shall be permitted if installed in a manner to meet the requirements specified above.

#### **9.18 SPECIFIC PLAN**

A specific plan shall not be required.

#### **10.0 DEVELOPMENT SEQUENCE**

Developmental phasing shall be allowed as a part of the development of this PUD.

#### **11.0 EXHIBITS**

The following exhibits are hereby attached and incorporated into this PUD. These exhibits are:

- Exhibit A - Legal Description
- Exhibit B - Conceptual Master Development Plan
- Exhibit C - Topography 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 contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior to excavation for the exact location of our facilities.
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District: Deer Creek**
- 7. Oklahoma Department of Transportation (ODOT)**

**B. City Departments**

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire:** Drive widths must comply at time of building permit review.
- 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 PUD 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) 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.
- 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**

**Wastewater Availability**

- 1) No public wastewater service is available for the development. A private on-site wastewater disposal system is required in accordance with ODEQ rules and regulations. Applicant is responsible for obtaining all required City and ODEQ Permits. On-site wastewater disposal system must be installed by an ODEQ certified installer and inspected by ODEQ.

**Water Availability**

- 1) An existing 12-inch 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 more than 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) Plat may be revised after review and approval of utility plans.

**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.

**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 is available on the site; however, access to public sewer facilities is not currently available. Septic systems have been provided on the site.*

Location:

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

*The subject site is located along NW 150th Street, a major arterial street in the Urban Low Intensity LUTA.*

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 FAR of the site is listed by the Oklahoma County Assessor as 0.11. If new development were to occur, the PUD regulations could provide a FAR within the UL LUTA 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.
- Provide vehicular connectivity between adjacent developments.

*The subject site is currently served from one drive along NW 150th Street, approximately 130 feet from the church driveway to the east. The PUD proposes the allowance of two drives, with no minimum separation; however, the split into two drives would likely occur internally to the site, as is shown in the conceptual plan.*

Pedestrian Connectivity:

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

*Sidewalks are currently available on the subject site but are not required within the proposed PUD.*

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating the proposes uses adjacent to existing agricultural, church, or school uses, “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 residential lot sizes in UL are less than 60% of directly adjacent residential lots, 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. *Potential impacts are identified when locating the proposed uses adjacent to agricultural, church, or school uses. The PUD proposes the base C-3 District regulations for height and setbacks, except proposed personal storage uses, which have not been proposed to have designated setbacks. The conceptual plan illustrates a detention area at the northwest corner of the development, which currently exists and would continue to buffer the existing personal storage uses from adjacent properties to the northwest. Proposed development on the east and northeast sides of the property is shown closer, or along the site boundaries. Some mitigation is provided by maintaining landscaping requirements of the base C-3 District, conforming to setback regulations for non-personal storage uses, and requiring the design of multi-story commercial buildings adjacent to boundaries of residential properties to contain no upper story windows or windows with opaque glass.*

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 subject site is located along NW 150th Street, a major arterial street in the Urban Low Intensity LUTA. No new compatibility issues requiring mitigation measures related to traffic 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 PUD proposes uses that could create operational impacts adjacent to nearby uses. The PUD proposes the base C-3 District regulations for setbacks, except proposed personal storage uses, which have not been proposed to have designated setbacks. The conceptual plan illustrates a detention area at the northwest corner of the development, which currently exists and would continue to buffer the existing personal storage uses from adjacent properties to the northwest. Proposed development on the east and northeast sides of the property is shown closer, or along the site boundaries. Some mitigation is provided by maintaining landscaping requirements of the base C-3 District, conforming to setback regulations for non-personal storage uses, and requiring the design of multi-story commercial buildings adjacent to boundaries of residential properties to contain no upper story windows or windows with opaque glass. Mitigation for lighting is provided by utilizing shields, shades, or other*

*methods of directing light beams away from adjacent properties and allowing no new freestanding light poles on the site.*

**3) Service Efficiency:**

- Water: *Served – Close to Service or Served*
- Sewer: *Not Served – Open Sewer Sheds or Served*
- Fire Service: *Rural Response*

**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 in the form of a small stream that runs along the eastern portion of the site. Floodplain is not present. Plan conformance would be strengthened by maintaining stream buffers in a natural or enhanced state and keeping all structures impervious paving at least 100 feet from the stream bank. Some mitigation is provided, as shown in the conceptual plan, by providing storm detention at the northeast corner of the development, where the riparian area is located.*
- Upland Forests: N/A
- Vulnerable Aquifers: N/A

**5) Transportation System:** This site is located along the north side of NW 150th Street, a Major Arterial Street in the Urban Low LUTA. Transit (bus) service is not available nearby.

**6) Other Development Related Policies**

- Regional-, community-, and neighborhood-scale retail developments should provide an internal vehicle and pedestrian circulation system between new and existing centers and individual stores that draws on the following principles:
  - Concentrate access for new retail development at shared primary entrance points. Primary entrance points should be aligned with access points immediately across intersecting roads. Limit curb cuts on primary highways and arterials.
  - Provide pedestrian circulation, including sidewalks and median breaks along interior and exterior fronting roads and within parking lots.
  - Encourage coordinated development of retail centers in order to facilitate internal pedestrian and vehicle circulation and optimal center performance (SU-27)
- New neighborhood-scale retail should be located within new residential growth areas to serve daily shopping needs and limit trip distances. In newly developing areas, this retail format is preferred to the existing linear development patterns along arterials. (SU-30)
- Neighborhood-scale retail should be developed at the median breaks or intersections of major or minor connectors. (SU-31)

- 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)
- Avoid under-grounding streams to the greatest extent possible. Where feasible, encourage the re-surfacing of buried streams. Limit the use of culverts or other structures that alter natural streams, and require designs that minimize impacts to stream health and function. (G-11)
- 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)
- 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 a flag-shaped property located along the north side of NW 150th Street, east of North Rockwell Avenue. The site was zoned from AA to PUD-1654 to allow a C-3 base with select retail, office, light industrial, and residential uses. The site is currently developed with personal storage on the west and is undeveloped on the east. The character of the area is primarily residential and agricultural, with commercial uses common at intersections. To the west is an undeveloped parcel zoned PUD-636 with a C-3 base. Spring Creek Elementary School is located to the northwest, a church is adjacent to the south, and to the north and east are large undeveloped parcels, all zoned AA.

The PUD is requested to allow commercial uses and development, specifically a self-storage facility, with C-3 base zoning on 10.4 acres. The proposed PUD language mirrors the language of the current zoning, PUD-1654, except the proposed language

allows for two access drives from NW 150<sup>th</sup> Street and shared access. The applicant's intent, as depicted in the site plan, is to potentially split the parcel and allow access from a common, shared drive. No conformance issues were identified.

#### **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.**

All Engineering Division and Water/Wastewater Utilities Division requirements must be met. Additional changes to the PUD may be required during either Division's review of construction plans and prior to City Council approval.

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