

Planning Commission Minutes
December 14, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:35 a.m. on December 11, 2023)

16. (PUD-1979) Application by Portland One 50, LLC, to rezone 3261 NW 150th Street from I-2 Moderate Industrial District to PUD-1979 Planned Unit Development District. Ward 8.

The applicant was present. There was a protestor present.

RECOMMENDED APPROVAL.

MOVED BY NOBLE, SECONDED BY MEEK

AYES: CLAIR, MEEK, GOVIN, PENNINGTON, NOBLE, LAFORGE

ABSENT: POWERS, PRIVETT, NEWMAN



STAFF REPORT
The City of Oklahoma City
Planning Commission
December 14, 2023

Item No. IV. 16.

(PUD-1979) Application by Portland One 50, LLC, to rezone 3261 NW 150th Street from I-2 Moderate Industrial District to PUD-1979 Planned Unit Development District. Ward 8.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name David M. Box
Company Williams, Box, Forshee & Bullard P.C.
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 maintain the existing industrial zoning while allowing for multifamily development.

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: 22.80 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	I-2	I-2	R-1/PUD-678/ O-2	PUD-1828	I-2
Land Use	Undeveloped	Undeveloped	Residential/ Undeveloped	Residential U/C	Undeveloped

II. SUMMARY OF PUD APPLICATION

The use and development regulations of the **R-4 General Residential** and **I-2 Moderate Industrial** Districts shall govern this PUD, except as herein modified.

In the event the subject property is developed in accordance with the R-4 General Residential District, there shall be a maximum of twenty-five (25) dwelling units per acre permitted within this PUD.

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 shall consist of a minimum 70% brick veneer, masonry, rock, stone, stucco, architectural metal, hardie board siding, or wood, or other similar type finish. No more than 30% EIFS or wood shall be permitted on the ground floor. Exposed metal or exposed concrete block buildings shall not be permitted.

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. In addition, a 25-foot landscaped buffer shall be provided along the east boundary of the PUD where adjacent to a residential use.

In the event an industrial development abuts a residential development, there shall be a 25-foot landscaped buffer between the developments.

9.3 LIGHTING REGULATIONS

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.

9.4 SCREENING REGULATIONS

No less than a six-foot and no greater than an eight-foot-high fence or wall shall be required along the boundary of this parcel where it is adjacent to any residential use. Said fence or wall shall be constructed entirely of precast concrete, or may be constructed of stucco, brick, or stone on a continuous footing, or may be constructed of wood, with brick columns with footings on 20' centers and shall be solid and opaque.

9.5 PLATTING REGULATIONS

Platting requirements shall be per the Subdivision Regulations.

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 shall be located within an area screened by a fence or masonry wall of sufficient height that screens the dumpster from public streets and residences and shall be placed no closer than 50 feet from all property lines adjacent to residential zoning district or use.

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

Access shall be taken from NW 150th Street.

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.

9.10 SIGNAGE REGULATIONS

9.10.1 FREESTANDING ACCESSORY SIGNS

Freestanding accessory signs shall be limited to ground/monument signs a maximum 8 feet tall and 100 square feet in area.

9.10.2 ATTACHED SIGNS

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

9.10.3 NON-ACCESSORY SIGNS

Non-Accessory signs are prohibited.

9.10.4 ELECTRONIC MESSAGE DISPLAY SIGNS (EMD'S)

Electronic Message Display signs are not allowed.

9.11 ROOFING REGULATIONS

Each structure in this PUD shall have Class C roofing or better.

9.12 SIDEWALK REGULATIONS

Five (5) foot sidewalks shall be constructed on NW 150th St. only, or six (6) foot sidewalks shall be required along NW 150th St. only if the sidewalk is constructed adjacent to the curb, subject to the policies and procedures of the Public Works Department. Four (4) foot sidewalks shall be constructed on the interior streets prior to any occupancy certificates being issued.

9.13 HEIGHT REGULATIONS

In the event the property is developed in accordance with the R-4 regulations, the maximum building height shall be 3 stories, except that the maximum building height shall be 2 stories within 60 feet of the east boundary of the PUD.

In the event the property is developed in accordance with the I-2 regulations, the maximum height shall be in accordance with the base zoning district.

9.14 SETBACK REGULATIONS

Unless modified herein, yard requirements in this PUD shall be the same as the base-zoning district.

9.15 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.

9.16 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.

9.17 SPECIFIC PLAN

No building permits shall be issued in this PUD until a Specific Plan, including all items listed in Section 59-14150.D. of the Oklahoma City Municipal Code, 2020, as amended shall have been approved by the Planning Commission.

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:** 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:** Edmond
- 7. Oklahoma Department of Transportation (ODOT)**

B. City Departments

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire:** No objection with secondary access drive running north as shown.
- 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) 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.

- 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) Existing 15-inch & 12-inch wastewater main(s) are 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.
- 7) System will be considered private.

b. Solid Waste Management

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

c. Water/Wastewater Quality

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 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) System will be master metered and considered private. Dumpster locations need to be shown on the site plan.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- 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.

Location:

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

- Avoid concentrations of apartment complexes. Instead, integrate multifamily units into neighborhoods with mixes of housing types or in mixed-use developments.

Density: The Urban Low Intensity LUTA outlines a density range of 4 to 8 dwelling units per acre for single family, and 15 to 30 dwelling units per acre for multifamily.

National, state, and local permitting require basic best management practices for stormwater management. Public water and sewer are available. The PUD is requested to add R-4 residential uses to the commercial and industrial uses already allowed on the site. The PUD establishes a maximum density of 25 du/acre. Conceptual plans indicate apartment buildings oriented toward the creek.

2) 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 number of dead-end streets and cul-de-sacs.
- 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.
- Retail developments should provide an internal vehicle and pedestrian circulation system between new and existing centers and individual stores.
- Provide vehicular connectivity between adjacent developments.
- Subdivisions with more than 50 units should have at least two points of entrance / egress no closer than 300 feet apart.
- Horizontally mixed-use developments should have connectivity between land uses.

Access will be from NW 150th Street. Additional access may be required per Fire.

3) Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.
- Within parking lots, provide pedestrian access ways separated from vehicle aisles.
- Horizontally mixed-use developments should have public sidewalk connectivity between land uses.

Sidewalks are required along arterial streets and within new urban subdivisions.

4) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating industrial uses adjacent to existing residential uses, “Building Scale and Site Design”, “Traffic”, and “Operational Impact” are potential

compatibility issues identified by the comprehensive plan. *In this case, the site is currently zoned I-2. The PUD requests to retain the existing uses while allowing multifamily residential. The addition of residential uses next to residential uses (east) does not trigger new compatibility issues, but the PUD does require a 25-foot landscape buffer and screening on the east regardless of use. The PUD also reduces the freestanding sign height and brightness from what is currently allowed in the I-2 District. The comprehensive plan states that in some cases, a proposed project may need to take measures to reduce the impact of an existing use, and specifically identifies placing residential uses next to an industrial use as an example. In this case, the PUD would allow either use, with the potential for new residential uses adjacent to industrial zoning on the north and west. However, creeks and ponds create a natural barrier to adjacent industrially zoned land.*

- 5) **Service Efficiency:**
 - Water: *Served*
 - Sewer: *Fully Served Area*
 - Fire Service: *Urban Response*
- 6) **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 in the form of streams and a pond are present along the perimeter of the west/north PUD boundary. The conceptual plan indicates apartment buildings facing the creek.*
 - Upland Forests: N/A
 - Vulnerable aquifers: N/A
- 7) **Transportation System:** This site is located off NW 150th Street, a Major Arterial Street within the Urban Low LUTA. The nearest transit (bus) service is located near Mercy Hospital.
- 8) **Other Development Related Policies**
 - Support diversity and integration of housing unit types and sizes in all land use typology areas in order to meet the diverse needs of households of different sizes, generational needs, incomes, and preferences. New residential subdivisions should achieve a mixture of housing types within a unified development. (SU-4)
 - Higher density multifamily development should be located in areas near employment or educational centers where street and transit systems have, or will soon have, capacity to support the added trips. (SU-48)
 - 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)
- Ensure proper access to and between subdivisions in order to offer a choice in routes for residents, multiple access points for emergency responders, and to reduce vehicle congestions at arterial intersections. (C-32)
- 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 located on the north side of NW 150th Street between N Portland Avenue and N May Avenue, in an area generally east of Lake Hefner Parkway. The roughly 23-acre subject site is part of an undeveloped 86-acre parcel zoned I-2 that spans west to N Portland Avenue. A driveway from NW 150th Street bisects the subject site, leading to a pipeline company located northwest of the site. The pipeline company rests on a 70-acre parcel abutting the site on the north. East of the subject site are single-family residences zoned PUD-678, an undeveloped O-2 property, and undeveloped R-

1 land. Across NW 150th Street to the south, are a mix of office, residential, and institutional uses within O-2 and PUD zoning districts. Land to the west would remain under the I-2 District.

The PUD is requested to allow multifamily development while retaining all existing industrial uses. A 25-foot landscape buffer will be required along the east boundary, as well as where an industrial use abuts a residential use. The PUD limits building height to two stories within 60 feet of the east boundary. Freestanding sign size, height, and brightness has been reduced from what is currently allowed within the I-2 District. New freestanding accessory signs are limited to ground/monument signs a maximum 8 feet tall and 100 square feet in area. Billboards and Electronic Display (EMD) signs are not permitted. If developed as multifamily residential, the maximum allowed density of 25 du/acre would be within the Urban Low LUTA range.

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 Divisions review of construction plans and prior to City Council approval.

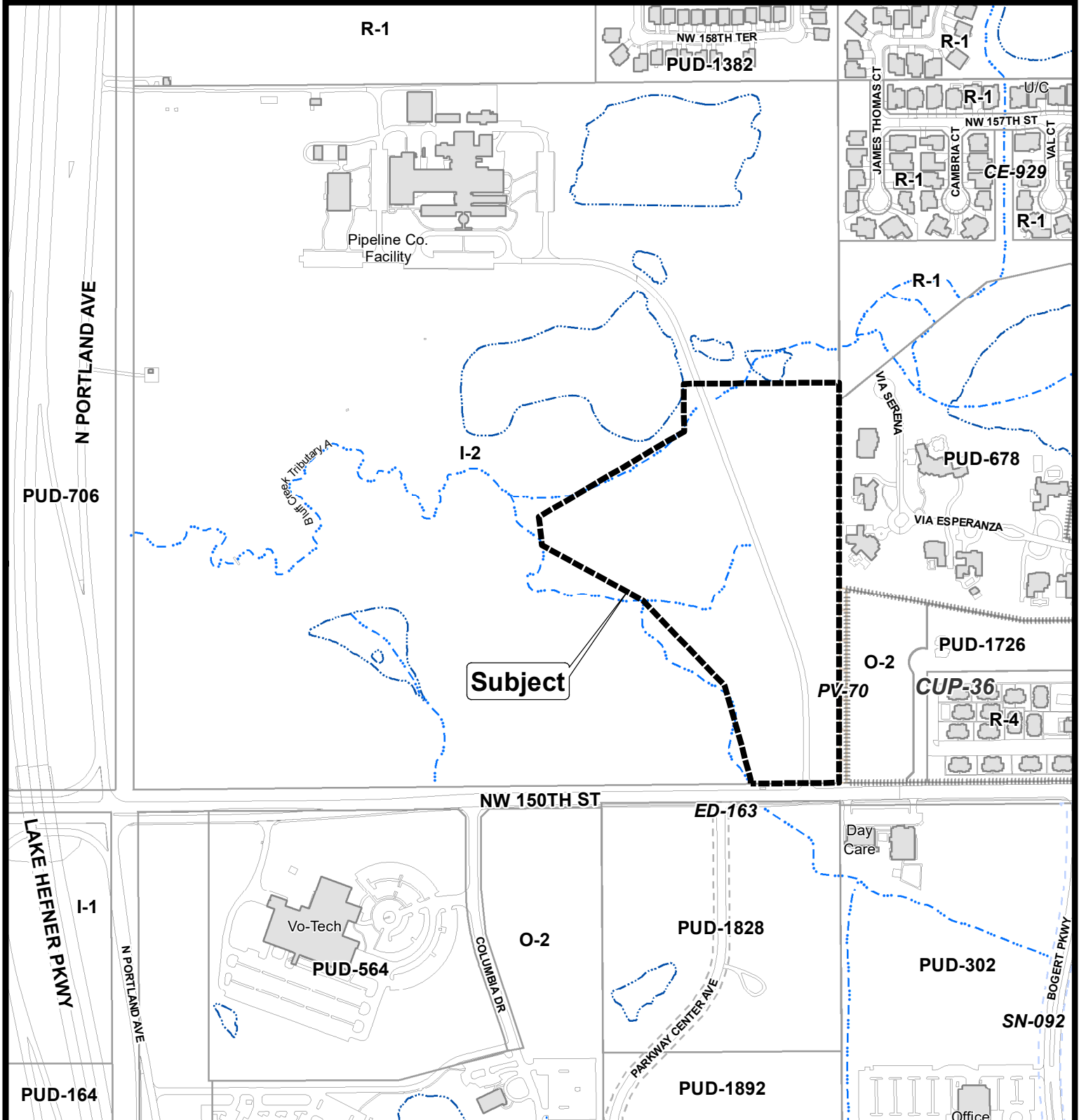
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Case No: PUD-1979

Applicant: Portland One 50, LLC

Existing Zoning: I-2

Location: 3261 NW 150th St.



The City of
OKLAHOMA CITY

Planned Unit Development



0 250 500 Feet

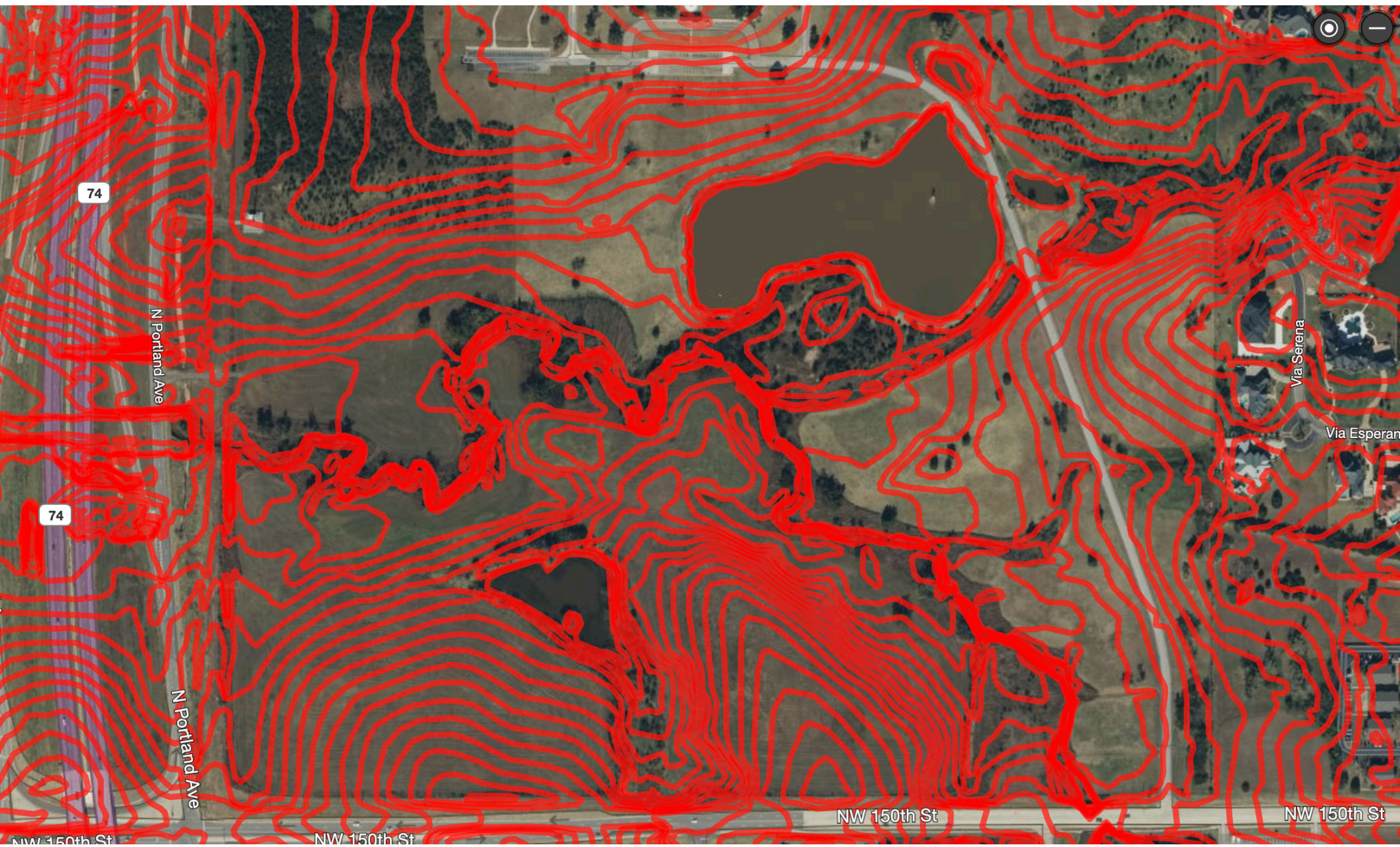
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TIM SMITH
Portland One50
Multi-Family Residential
NW, 150th St & N-Portland Ave.
Oklahoma City

DRAWING NO. 1 OF 1

CONCEPTUAL PLAN

DATE:	10/21/2023	DRAWN BY:	
DWG NO:		SHEET SHEET	33
PROJECT NO:		CHECKED BY:	
APPROVED BY:			



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Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Planned Unit Development



0 250 500
Feet