

Planning Commission Minutes
April 27, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:37 a.m. on April 24, 2023)

9. (PUD-1944) Application by Highland Park Retail Center, LLC, to rezone 1201 NW 178th Street from PUD-1319 Planned Unit Development District to PUD-1944 Planned Unit Development District. Ward 8.

Amended Technical Evaluation

1. Strike “Dryvit” from Section 14.1 of the Master Design Statement

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY NOBLE, SECONDED BY GOVIN

AYES: CLAIR, POWERS, FRALEY, HINKLE, GOVIN, PENNINGTON, NOBLE;

ABSENT: PRIVETT, LAFORGE



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

Item No. IV. 9.

(PUD-1944) Application by Highland Park Retail Center, LLC., to rezone 1201 NW 178th Street from PUD-1319 Planned Unit Development District to PUD-1944 Planned Unit Development District. Ward 8.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name Steve Rollins
Company ARC Engineering Consultants, LLC
Phone 405-509-0212
Email srollins@arcengr.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of the application is to allow a veterinary services clinic within an existing retail/commercial center.

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: 3.55 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-1319	PUD-1241	R-1	C-3	PUD-1241
Land Use	Commercial	Apt/Comm	Retail	Commercial	Apt/Comm

II. SUMMARY OF PUD APPLICATION

8.0 SPECIAL DEVELOPMENT REGULATIONS

8.1 USE AND DEVELOPMENT REGULATIONS

The Planned Unit Development of Highland Park North Retail Center contains one tract. The use and development regulations are provided as follows:

C-3 Community Commercial District, except as modified herein

All uses permitted in the C-3 Community Commercial District shall be allowed including conditional, special permit, special exception and/or accessory uses subject to their appropriate conditions and review procedures for public hearings where applicable, unless otherwise noted herein.

8.2 ADDITIONAL USE AND DEVELOPMENT REGULATIONS

8.2.1 The following C-3 Community Commercial District uses will be prohibited:

Use Unit 8150.7	Horticulture
Use Unit 8300.12	Automotive: Parking Garage
Use Unit 8300.13	Automotive: Parking Lot
Use Unit 8300.14	Automotive and Equipment: Cleaning and Repairs, Light Equipment
Use Unit 8300.19	Automotive and Equipment: Sales and Rentals, Farm and Heavy Equipment
Use Unit 8300.20	Automotive and Equipment: Sales and Rentals, Trucks, manufactured (mobile) Homes and Recreational Vehicles
Use Unit 8300.30	Adult Entertainment Uses
Use Unit 8300.42	Funeral and Interment Services: Cremating
Use Unit 8300.43	Funeral and Interment Services: Interring
Use Unit 8300.44	Funeral and Interment Services: Undertaking
Use Unit 8300.60	Personal Storage
Use Unit 8300.69	Spectator Sports and Entertainment: Restricted
Use Unit 8350.3	Custom Manufacturing

8.2.2 No structure will be permitted over two stories and thirty-five feet in height.

8.2.3 Building setbacks shall be a minimum of 25 feet along N. Western Avenue and N.W. 178th Street. The setbacks of the existing structures shall be deemed in

conformance with zoning regulations. Should the site be redeveloped, setbacks shall conform to the base zoning district requirements.

- 8.2.4** Parking and drives are permitted within the setbacks.

9.0 ACCESS

- 9.1** One entrance will be permitted along N. Western Avenue and one entrance will be permitted along N.W. 178th Street within this PUD Highland Park Road has been constructed to serve both Highland Park Retail Center and provide access to the apartment development directly west and north of this site.
- 9.2** Driveways shall have a minimum of 200 feet of separation from driveway centerline to driveway centerline and shall meet all City design standards.
- 9.3** Driveways will not be permitted within two hundred (200) feet of the intersection centerline of N.W. 178th Street and N. Western Avenue.
- 9.4** Cross access to the apartment tract adjacent to the west and north will be permitted, subject to cross-access agreements filed in Oklahoma County.

10.0 SCREENING AND LANDSCAPING

- 10.1** The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development, except as otherwise noted herein.
- 10.2** All landscaping shall be situated so that it does not create a sight restriction hazard for vehicles entering and exiting the property.

11.0 PARKING REGULATIONS

- 11.1** 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, except as noted herein.
- 11.2** With C-3 Community Commercial District uses, the following regulations shall apply:
- a. Access to individual lots within the PUD may be permitted to be from a private drive. The private drive shall be placed within a common area designated for access purposes. A Property Owners Association through the use of recorded Covenants and Restrictions shall govern maintenance of the private drive.

Access to the individual buildings shall be provided by private shared access drives that will provide internal circulation. Private shared access drives shall have a minimum right of way width of 20 feet for one-way drives and 24 feet for two-way drives.

- b. Lots within this PUD will not be required to have frontage on an approved street. Individual lots shall be allowed to cross access for the purpose of parking and maneuvering via a cross access agreement affective through recorded covenants and restrictions.
- c. An individual platted lot is not required to provide on-site parking. Required parking may be provided within a common area/private driveway. Off-site shared parking may be permitted in order to comply with parking requirements.
- d. Platted lots are permitted to have shared access.
- e. Applications for building permits in this PUD must include an overall PUD site plan that depicts the location of the proposed-for-building-permit building(s) and the size and address of all existing buildings as well as existing parking and landscaping in the PUD and parking and landscaping proposed for the building(s) for which a building permit is requested.
- f. If any Commercial District Design is utilized, a 15% reduction in parking requirements shall be permitted, if all parking is located between and/or behind buildings.

12.0 SIGNAGE REGULATIONS

12.1 Signs within Highland Park North Retail Center shall conform to the C-3 sign regulations except as noted herein.

12.2 A total of two freestanding accessory signs shall be permitted and are described as follows:

Two monument signs with a maximum height of 16 feet and a maximum display area of 225 square feet each shall be permitted.

12.3 Two additional non-accessory signs shall be permitted and area described as follows:

Permitted non-accessory signs shall be monument signs with a maximum height of six feet and a maximum display area of 100 square feet. The two non-accessory

signs will be permitted to advertise the adjacent apartment development only. The non-accessory signs will be located adjacent to the collector roadway, with one each on N. Western Avenue and N.W. 178th Street.

- 12.4** Existing and proposed sign locations are shown on Exhibit “B”.
- 12.5** Identification signs for individual users shall be attached to the building and shall not exceed the roof line.
- 12.6** Ground mounted and/or wall mounted identification signs, directional signs and/or instructional signs that are less than 8 square feet shall be considered incidental and allowed within this PUD.

13.0 LIGHTING REGULATIONS

- 13.1** The design 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.

To minimize light spillover on residential uses, outdoor lights will be directed away from any adjacent residential properties. To accomplish this, lights shall utilize shields, shades, or other appropriate methods of directing light beams.

14.0 ARCHITECTURE

- 14.1** Exterior building wall finish on all structures shall consist of a minimum 50% brick veneer, masonry, dryvit, rock, stone, stucco or wood. Buildings finished with EIFS (Exterior Insulation Finish System) material shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

15.0 OWNERSHIP AND MAINTENANCE OF COMMON AREA/OPEN SPACE

The property owner(s) shall be responsible for maintenance of all common area/open space areas. It shall be the responsibility of the property owner(s) for the installation, maintenance and replacement of all parking areas, drainage areas, landscaping and sprinkler systems.

16.0 DRAINAGE REGULATIONS

- 16.1** In an effort to be environmentally conscious and preserve the natural beauty of the area, drainageways will be left natural where possible.

- 16.2** Drainage improvements, if required, will be in accordance to applicable sections of the Oklahoma City Code of Ordinances. Drainageways may be permitted and constructed in accordance with Chapter 16 of the Oklahoma City Municipal Code, which includes certain allowances for Planned Unit Developments, provided the PUD is platted with drainage areas confined to common areas. Such drainageways must be designed to handle adequate flows and cannot be built without specific approval of the City Engineer. The maintenance will be the responsibility of the property owner.

17.0 OTHER DEVELOPMENT REGULATIONS

- 17.1** The boundaries of the PUD are depicted on Exhibit “B”.
- 17.2** Dumpsters shall be located within an area screened by a 6’-8’ high fence or masonry wall that screens the dumpster from public streets and shall be placed no closer than 50 feet from all property lines adjacent to a residential zoning/use.
- 17.3** Maintenance of the Common Areas in the development shall be the responsibility of the property owner(s). 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.

The boundary of the Common Area shall be adjusted, if necessary, to ensure that the Common Area covers the entire 100-year flood plain.

- 17.4** Applications for building permits 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 proposed for the building for which a building permit is requested.
- 17.5** Buildings designed for commercial use with accessory tenant occupancy for caretakers, security, etc. shall be permitted.
- 17.6** Highland Park North Retail Center may be developed in phases.
- 17.7** Every structure in this PUD shall have Class C roofing or better.
- 17.8** Decorative artwork and/or architectural structures shall be permitted throughout the PUD area including across public right-of-way, subject to approval by the

Public Works Department. Artwork/architectural structures may include but is not limited to fountains, individual art pieces, clock towers, decorative entry structures, etc. The decorative artwork/architectural structures shall not exceed 25 feet in height, must have a minimum 14 feet clearance in height (for archways) and be located a minimum of 25 feet from the curb of any adjacent street.

17.9 Five foot (5') sidewalks shall be constructed on the arterial street with each development parcel or six foot (6') sidewalks shall be required if the sidewalk is constructed adjacent to the curb, subject to the policies and procedures of the Public Works Department. Four foot (4') sidewalks shall be constructed on the interior streets or drives to provide pedestrian connectivity, prior to any occupancy certificates being issued.

17.10 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.

18.0 EXHIBITS

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

- EXHIBIT A: Legal Description
- EXHIBIT B: Master Development Plan Map

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(s) Edmond**
- 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 Services*

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 guarantee and must be checked by the Engineer of Record and reviewed by the City.
- 3) The developer will be required to extend the City wastewater collection system to and across each lot or site within the subdivision in accordance with the City Standard Specifications and Private Development Design Manual.
- 4) Minimum ten (10) feet horizontal separation is required from water mains and five (5) feet for other utilities. Minimum two (2) feet vertical separation required for all crossings. All wastewater mains must have a minimum cover of four (4) feet and depth no greater than eighteen (18) feet. Developer is responsible for remediating any failure to maintain the minimum four (4) feet of cover.
- 5) Wastewater main(s) must be centrally located in a twenty (20) feet wide easement or larger if necessary. No trees, signs, dumpster, fence, and/or structures shall be permitted over any proposed or existing utility main. An approved revocable permit must be obtained to have any private improvement located within any utility easement and/or right-of-way.
- 6) All existing unused private wastewater service connections must be abandoned and capped at the main in accordance with City Standard Specifications and Private Development Design Manual.
- 7) Existing 8" Public wastewater main runs along the frontage on the west side of Western Ave and adjacent to the site on the north and west side of Highland Park Rd. Commercial development already has existing wastewater service and is adjacent if additional service is needed.

b. Solid Waste Management

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

c. Water/Wastewater Quality

Water Availability

- 1) An existing 12" water main(s) is located adjacent to the subject site(s).

- 2) A 12-inch water main is required to be loop through the development to provide adequate water supply and fire flow protection. Connection to two (2) separate active water mains is required to prevent partial or total shut-off of water supply when a pipeline failure occurs.
- 3) 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.
- 4) 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.
- 5) 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.
- 6) 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.
- 7) 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.
- 8) 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) feet of a hard surface (i.e. sidewalk, street, paving).
- 9) Supply capacity for development is not guarantee and will be reviewed at time of review of construction documents.
- 10) Existing 12" public water is adjacent to site along 3 sides. S of NW 178th St and W of Western Ave and N and W of Highland Park Rd. Commercial site already has water service and is adjacent if additional service is needed.

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.

Location:

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

The site is already developed with access from two arterial streets. National, state, and local permitting require basic best management practices for stormwater management. Public water and sewer are available.

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.
- Development fronting arterials should take access from intersecting streets where possible.
- 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.
- Horizontally mixed-use developments should have connectivity between land uses.

Access to the site is from two existing access points within the PUD, and is shared with adjacent development. Access is also available from the interior street that connects NW 178th and N Western Ave.

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 available along all adjacent streets.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between

major land use categories. The PUD is requested to allow a use that is not permitted in the existing zoning. The added use would allow a vet clinic. No compatibility issues were identified.

- 3) Service Efficiency:**
 - Water: *Served*
 - Sewer: *Fully Served*
 - Fire Service: *Urban Service Level*
- 4) Environmentally Sensitive Areas:** No ESAs affecting development were identified on the subject site.
- 5) Transportation System:** This site has frontage along NW 178th Street and N Western Avenue, Major Arterial Streets, and backs up to Highland Park Road, a Neighborhood Street, all in the Urban Low LUTA. Transit (bus) service is not available.

b. Plan Conformance Considerations

The subject site is located at the northwest corner of NW 178th Street and N Western Ave. The site is part of PUD-1319 which was approved in 2007 for retail and commercial development. The site has been developed with a variety of retail, personal service, and restaurant uses in a commercial center, and a pharmacy on the corner. Access is available from both arterial streets, and Highland Park Road has been constructed behind the development to provide a connection between NW 178th Street and N Western Ave, as well as access to the apartments to the north/west. The PUD is requested for a vet clinic which requires the *Animal Sales and Services, Restricted* use unit classification, a use prohibited in the existing PUD. The new PUD's C-3 base would also allow animal grooming, but not outdoor dog play areas. No compatibility issues were identified with the request.

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.

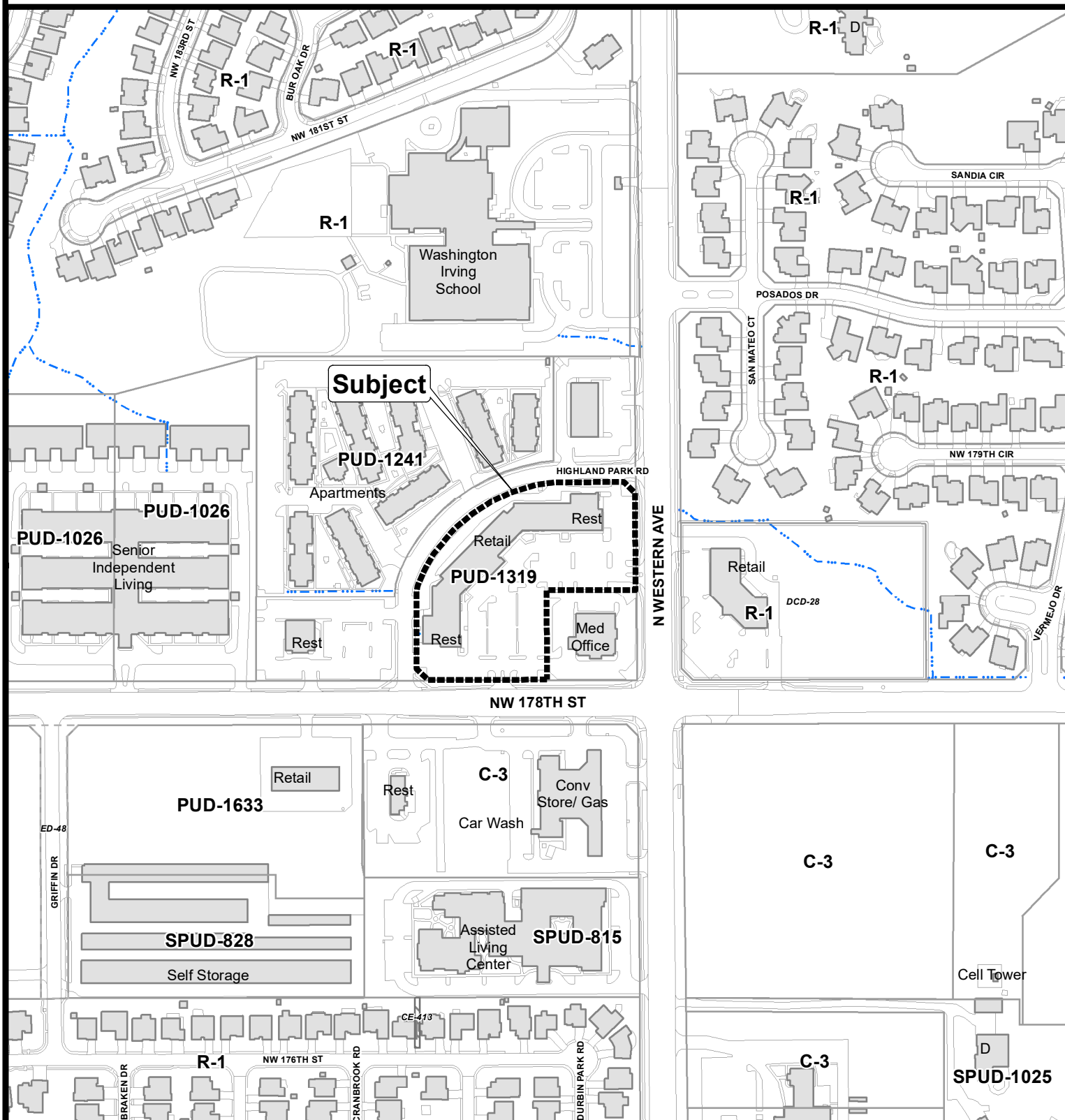
STAFF REPORT
The City of Oklahoma City
Planning Commission
April 27, 2023
PUD-1944

Item No. 9.

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.

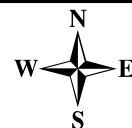
cl

Case No: PUD-1944 Applicant: Highland Park Retail Center, LLC
Existing Zoning: PUD-1319
Location: 1201 NW 178th St.



The City of
OKLAHOMA CITY

Planned Unit Development



0 150 300 Feet

HIGHLAND PARK NORTH RETAIL CENTER

HIGHLAND PARK NORTH RETAIL CENTER

Case No: PUD-1944 Applicant: Highland Park Retail Center, LLC
Existing Zoning: PUD-1319
Location: 1201 NW 178th St.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Planned Unit Development



0 150 300 Feet