

(PUD-1846) Application by Aaron Winters, to rezone 12610 North Mustang Road from the R-A Single Family One-Acre Rural Residential District to the PUD-1846 Planned Unit Development District. Ward 1.

#### I. GENERAL INFORMATION

#### A. Contacts

# 1. Applicant/Developer Representative

Name Aaron Winters Company Winter Contracting Phone 405-626-4095

Email surreyhillsstorage@gmail.com

## **B.** Case History

This application was continued from the March 24, 2022 meeting.

# C. Reason for Request

This application is to permit a personal 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: 8.50 acres

# 3. Zoning and Land Use

	<b>Subject Site</b>	North	East	South	West
Zoning	RA	RA	PUD-1756	SPUD-1315	PUD-1418
_				PUD-919	
Land Use	Undeveloped	Undeveloped	Undeveloped	Undev/Stor	Undeveloped

**4. Development Context:** The subject site is located on the east side of N Mustang Rd, north of NW Expressway. The subject site was zoned for R-A residential development in 2020.

Item No. 8.

Land north of the subject site would remain under the R-A zoning. A tributary of Deer Creek winds around the eastern edge of the site, and beyond it is PUD-1756 which is approved for single-family lots and platted as Bison Creek East. Across N Mustang Road to the west are single-family residences within Village Verde (PUD-1418) on minimum 5,000 square foot lot sizes. South of the site is SPUD-1315, approved in July 2021 for a duplex development along N Mustang Road, and PUD-919 to its east, which allows office, restaurant, commercial, and shopping center uses and is developed with personal storage adjacent to the subject site. The application requests a PUD with a modified C-3 base district in order to build a new personal storage facility.

#### II. SUMMARY OF PUD APPLICATION

#### 8.1 USE AND DEVELOPMENT REGULATIONS

The use and development regulations of the C-3 District shall govern this PUD, except as herein modified, including conditional, special permit, special exception, alcohol beverage consumption requirements and/or accessory uses subject to their appropriate conditions and review procedures for public hearings where applicable, unless otherwise noted herein.

## 9.0 SPECIAL CONDITIONS

The following uses shall be the only uses permitted in this PUD:

#### Permitted Use(s):

(8300.60) Personal Storage (8300.10) Administrative & Professional Office

## 9.1 FAÇADE REGULATIONS

All structures constructed within this PUD shall comply with the base district architectural standards except that metal buildings shall be permitted for the personal storage use unit, except that the buildings facing N Mustang Rd and any buildings placed on the property line and abutting a residential use shall be required a brick, stone, masonry or concrete board façade.

## 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.

Item No. 8.

Landscape Buffers to include: (1) a sight-proof fence or wall as described in Section 9.4 and, (2) a minimum five (5) foot landscape buffer with either a minimum of nine (9) landscaping points installed for every twenty-five (25) linear feet of abutment to a residential district or use or three-inch (3") trees spaced a maximum of twenty-five (25) feet on center shall be installed along the North and south property line(s) abutting any residential district or use.

Existing healthy, mature trees shall be protected in this PUD to the greatest extent possible.

#### 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.

To minimize light spillover on residential uses, outdoor lights within any office or commercial or industrial tracts 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.

#### 9.4 SCREENING REGULATIONS

No less than a six-foot and no greater than an eight-foot-high wall shall be required along the boundary of this parcel where it is adjacent to any residential use on the north, and any residential use or zoning district on the south. Said wall shall be constructed entirely 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.

Sight-proof screening may consist of the back/side of a proposed building (if said building results in appropriate screening) and shall be a minimum of six feet in height. No building setback will be required if the building is used as screening.

#### 9.5 PLATTING REGULATIONS

Platting is not required.

#### 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.

Item No. 8.

#### 9.8 ACCESS REGULATIONS

There shall be one access points from N Mustang Road in this PUD.

Driveways within and adjacent to this Tract/parcel shall have a minimum of 200' feet of separation from driveway centerline to driveway centerline and shall meet all City design standards.

Streets or driveways on adjacent property within 200' feet of this Planned Unit Development shall be shown on the Master Development Plan.

Tracts within this PUD will not be required to have frontage on an approved street. Access to individual Tracts 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. The Property Owner shall provide 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 pavement width of twenty (20) feet for one-way drives and twenty-four (24) feet for two-way drives.

## 9.9 PARKING REGULATIONS

This PUD shall provide four parking spaces for the 750 square feet of office building area proposed in this PUD. The four parking spaces shall be deemed to satisfy the required parking for the personal storage use within this PUD. All other uses in the PUD will provide parking in accordance with the Code.

Required parking may be provided within a common area/private driveway. Off-site shared parking shall be permitted in order to comply with parking requirements. Off-site parking is further limited to the boundaries of this PUD.

#### 9.10 SIGNAGE REGULATIONS

#### 9.10.1 FREESTANDING ACCESSORY SIGNS

There shall be one freestanding sign in this PUD.

All freestanding signs within this PUD shall be ground signs with the maximum size being eight (8) feet height and one hundred (100) square feet in area. The signs shall be covered with a material consistent with the building(s) they serve. No pole signs will be allowed.

Item No. 8.

All freestanding accessory signs shall provide a Landscaped Area containing one (1) point of landscaping per two (2) square feet of sign or fraction thereof located within ten (10) feet of the base of any freestanding accessory sign. This landscaping may be applied to fulfill Site or Parking point landscaping requirements. Turf grasses shall not be used to satisfy this requirement.

A sign that contains the name of any business and/or multi-family development located within this PUD shall be deemed accessory, even if the sign is not placed on the parcel where the business is located, as long as the business and/or multi-family development and the sign are located within this PUD.

#### 9.10.2 ATTACHED SIGNS

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

Canopy signs shall be permitted for each business use in the PUD and shall be mounted on the building facade with uniform height and style letters not to exceed 24 inches high and backlit.

#### 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 prohibited.

#### 9.11 ROOFING REGULATIONS

Every structure in this PUD shall have Class C roofing or better

#### 9.12 SIDEWALK REGULATIONS

Five (5) foot sidewalks shall be constructed on the arterial street with each development parcel, or six (6) foot sidewalks shall be required if the sidewalk is constructed adjacent to the curb, subject to the policies and procedures of the Public Works Department.

#### 9.13 HEIGHT REGULATIONS

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

Item No. 8.

#### 9.14 SETBACK REGULATIONS

North: 0 Feet East: 10 Feet South: 10 Feet West: 25 Feet

# 9.15 PERMIT REQUIREMENTS

Applications for building permits in the commercial or industrial part(s) 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(s) of this PUD and including 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

N/A

#### 9.18 GENERAL DESIGN AND DEVELOPMENT GUIDELINES

Specific information and plans for General Design and Development Guidelines as contained in Chapter 59 Section 14200.4 for density, amenities, relationship to abutting uses, site design, safety, and circulation systems shall be required at the Specific Plan stage.

## 9.19 SPECIFIC PLAN

Due to the façade, landscaping, parking, access, architectural regulations, sidewalk, and screening detail provided in the Master Development Plan, a Specific Plan approval is not required.

## 10.0 DEVELOPMENT SEQUENCE

N/A

#### 11.0 EXHIBITS

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

Exhibit A - Legal Description

Exhibit B – Master Development Plan

Exhibit C- Conceptual Elevation Photo

Exhibit D - 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 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)** Yukon
- 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) Flood Study will be required to show no rise in FEMA Q 100 and the City of Oklahoma City Q 100 water surface elevation, compared pre-and post-development.
- 5) A portion of subject property is situated within a F.E.M.A. Flood Plain. Therefore, the establishment of Minimum Finish Floor Elevation for each lot within the flood plain will be required (100-year) frequency plus 1'. The Public Works Department Engineering staff shall approve these elevations prior to the filing of the final plat.

- 6) A floodplain activity permit must be submitted for any work contemplated in The Waters of the United States.
- 7) 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.
- 8) 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.
- 9) 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.
- 10) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 11) 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.
- 12) 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.
- 13) All private roads /streets will have private storm sewer systems.
- 14) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.
- c. Stormwater Quality Management
- d. Traffic Management\*

#### 8. Utilities

#### a. Engineering

# **Paving**

1) 50 feet of right of way is required along N Mustang Rd.

# Wastewater Availability

- 1) An existing 8"12 and 18" wastewater main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection is required for each building/structure.
- 2) All wastewater mains must flow within the existing drainage basin. Proposed wastewater mains that will flow to another drainage basin across a ridgeline will not be allowed.
- 3) Minimum ten (10) foot horizontal separation required for water mains and five (5) foot for other crossings. Minimum two (2) foot vertical separation required for all crossings.
- 4) The developer will be required to extend the wastewater collection system to each lot or site within the subdivision or land improvements in accordance with City Standard Specifications and the current Subdivision Regulations.
- 5) All existing unused wastewater services must be abandoned at the wastewater main.
- 6) No wastewater service is available for proposed improvements, private on-site sewage disposal systems are required in accordance to ODEQ rules and regulations. On-site sewage disposal system must be installed by an ODEQ certified installer and inspected by ODEQ.
- 7) Proposed wastewater main(s) must be located in a twenty (20) foot wide easement.
- 8) No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.

# b. Solid Waste Management

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.

## c. Water/Wastewater Quality

# Water Availability

- An existing 16" water main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection and meter is required for each building/structure.
- 2) Minimum ten (10) foot horizontal separation required for wastewater mains and five (5) foot for other mains. Minimum two (2) foot vertical separation required for all crossings.
- 3) Dead-end water mains must be avoided where applicable.
- 4) All existing unnecessary water services must be abandoned at the water main.
- 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 and fire protection systems which require water pressure in excess of 25 psi.
- 6) Proposed water main(s) must be located within a utility easement or right-ofway. No trees, signs, dumpster, fences, and/or structures shall be permitted within any proposed or existing utility easement.
- 7) All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 8) A 12-inch water main is required to be looped 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 within the proposed development.

- 9) All existing and proposed meters must meet current specifications and standard details and be located in the right-of-way or utility easement within grassy areas outside of sidewalks, driveways, streets and/or paving.
- 10) All domestic and fire suppression services must have separate water service connections.
- 11) Fire hydrants maximum spacing is 500 foot and must be located within 10 foot of a hard surface (i.e. sidewalk, street, and/or paving).

#### 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.

Floodway and 100- year floodplain are present on the eastern end of the subject site. The development is required to comply with all City, State, and Federal requirements within the floodplain. Public water and sewer are available.

#### Location:

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

The subject site is located along N Mustang Rd, a Minor Arterial Street in the UL LUTA.

<u>Density</u>: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. *The PUD regulations allow for development within the Urban Low 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 number of dead-end streets and cul-de-sacs.

- 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.
- Provide vehicular connectivity between adjacent developments.
- Horizontally mixed-use developments should have connectivity between land uses.

The site is currently zoned for residential uses and included in the Preliminary Plat of Maquini West (2014). Since the preliminary plat was approved, land to the north along N Mustang Road has been subdivided into lots that front the arterial street, indicating that the subject site will not be developed as originally envisioned. It was unclear if rezoning the subject site for commercial uses would create a landlocked RA parcel to the north, east of the creek. The PUD limits driveways on the arterial to one, in conformance with the plan. Ideally access could also be shared with the personal storage business on the south.

# 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 the arterial street.

2) Compatibility: The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating the proposed office and storage uses 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.

The PUD requires screening and landscape buffers where abutting the residential use on the north and the undeveloped residential SPUD on the south. Setbacks are proposed at 10 feet on the south and zero on the north. The PUD allows metal buildings except where facing N Mustang Road and when placed on the property line and abutting a residential use.

<u>Traffic:</u> 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 has frontage along an arterial street. 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 PUD is limited to office and personal storage only. The PUD exhibits indicate the mini-storage facility with storage units lining the perimeter of the site, and outdoor storage areas located on the east end of the site, away from existing and planned homes.

# 3) Service Efficiency:

Water: Close to Service or Served
Sewer: Open Sewer Sheds or 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. Deer Creek Tributary #7 runs along the eastern portion of the subject site. Floodway and 100-year floodplain are present. The conceptual plan indicates development would be outside the floodplain. Plan conformance would be strengthened by maintaining a 100-foot setback from the stream bank.
- Upland Forests: N/AVulnerable Aquifers: N/A

5) Transportation System: This site is located off N Mustang Road, a Minor Arterial Street in the Urban Low LUTA. Transit (bus) service is not available.

# 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:
  - o Providing direct connections from residential developments to nearby places and to each other.
  - o Providing street and sidewalk stubs to adjacent vacant land in anticipation of future development.
  - o Connecting new development to existing street and sidewalk stubs, and to existing trail, open space, and bicycle networks.
  - o 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 located on the east side of N Mustang Rd, approximately 500 feet north of NW Expressway. This application was originally submitted as a request for the C-3 District.

Item No. 8.

Due to the recently approved SPUD-1315 to the south that allows a duplex community, and the RA-zoned residential parcels along Mustang Road to the north, a PUD that addresses compatibility near residential uses and zoning was requested.

The new PUD is limited to office and a personal storage uses on the 8.5-acre site. The PUD requires screening and landscape buffers adjacent to existing and planned residential, preserves trees, limits driveways on the arterial street, and limits the number of signs to one a maximum of 8 feet tall and 100 square feet. It was unknown at the time of review if the proposed application would landlock the remaining RA land to the north along the creek.

#### V. 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 SPUD may be required during either Divisions review of construction plans and prior to City Council approval.

Should this application be approved, 17-foot of additional easement should be requested at the along N Mustang Rd. to bring the right-of-way width to the standard set by the subdivision regulations

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