

Planning Commission Minutes
November 14, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:43 a.m. on November 12, 2024)

18. (SPUD-1684) Application by I-44 and South May, LLC to rezone 3249 SW 104th Street from PUD-831 Planned Unit Development, AE-1 Airport Environs Zone 1 and AE-2 Airport Environs Zone 2 Overlay Districts to SPUD-1684 Simplified Planned Unit Development, AE-1 Airport Environs Zone 1, and AE-2 Airport Environs Zone 2 Overlay Districts. Ward 5.

Amended Technical Evaluation:

1. Modify sidewalk requirements to state: A minimum five (5) foot sidewalk shall be constructed along SW 104th Street in accordance with the City of Oklahoma City Municipal Code and ADA requirements at the time of construction of this SPUD.
2. ~~Call boxes shall be setback at least 150 feet from a residential use or zoning district.~~ Outdoor speakers are prohibited, with the exception of Use Unit 8300.36 Eating Establishments: Fast Food with Drive-thru Order Windows. In the event that a fast-food restaurant with a drive-thru ordering capability is built, drive-thru ordering shall occur on the west side of the building, with the speaker facing west, no closer than 175-feet from the east SPUD property line.
3. Restaurant trash dumpsters and dumpster grease containers shall be no closer than 200 feet from the east SPUD property line.

The applicant was present. There were no protesters present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY NEWMAN, SECONDED BY MEEK

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

ABSENT: PRIVETT



(SPUD-1684) Application by I-44 and South May, LLC to rezone 3249 SW 104th Street from PUD-831 Planned Unit Development, AE-1 Airport Environs Zone 1, and AE-2 Airport Environs Zone 2 Overlay Districts to SPUD-1684 Simplified Planned Unit Development, AE-1 Airport Environs Zone 1, and AE-2 Airport Environs Zone 2 Overlay Districts. Ward 5.

I. GENERAL INFORMATION

A. Contacts

1. Applicant 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 this application is to allow commercial uses, specifically a restaurant.

D. Existing Conditions

- 1. Size of Site:** 2.83 Acres
- 2. Zoning and Land Use**

	Subject Site	North	East	South	West
Zoning	PUD-831/ AE-1/AE-2	PUD-831 / AE-1 / AE-2	R-1 / AE-2	PUD-1719 AE-1/AE-2	SPUD-1652 /AE-1
Land Use	Undeveloped	Undeveloped	Residential	Oil Tank / Golf Course	Undeveloped /Retail

3. Comprehensive Plan Land Use Typology Area: Urban – Low Intensity (UL)

UL applies to the least intensively developed areas of the city that still receive urban water, sewer, police, park and fire services. Development in this area should provide horizontal integration of land uses, connectivity within and between individual developments, and design that facilitates pedestrian and bicycle transportation.

II. SUMMARY OF SPUD APPLICATION

1. This site will be developed in accordance with the regulation of the **C-3 “Community Commercial” District** (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:

The following uses will be the only uses permitted on this site:

- Dwelling Units and Mixed Uses (8200.2)
- Senior Independent Living (8200.13)
- Community Recreation: Restricted (8250.4)
- Cultural Exhibits (8250.5)
- Library Services & Community Centers (8250.11)
- Low Impact Institutional: Neighborhood Related (8250.14)
- Administrative & Professional Office (8300.1)
- Alcoholic Beverage Retail Sales (8300.5)
- Animal Sales & Services: Grooming (8300.8)
- Animal Sales & Services: Kennels & Veterinary, Restricted (8300.11)
- Automotive: Parking Lot, as a Principal Use (8300.13)
- Building Maintenance Services (8300.23)
- Business Support Services (8300.24)
- Communications Services: Limited (8300.29)
- Convenience Sales & Personal Services (8300.32)
- Eating Establishments: Drive In (8300.34)
- Eating Establishments: Fast Foods (8300.35)
- Eating Establishments: Fast Food with Drive-Through Order Windows (8300.36)
- Eating Establishments: Sitdown (8300.37)
- Eating Establishments: Sitdown, Alcohol Permitted (8300.38)
- Eating Establishments: Sitdown, Limited Alcohol Permitted (8300.39)
- Food & Beverage Retail Sales (8300.41)
- Laundry Services (8300.48)
- Medical Services: General (8300.52)
- Medical Services: Restricted (8300.53)
- Participant Recreation & Entertainment: Indoor (8300.55)
- Payday or Title Loan Agencies (8300.57)
- Personal Services: General (8300.58)
- Personal Services: Restricted (8300.59)
- Personal Storage (8300.60)
- Repair Services: Consumer (8300.61)
- Research Services: Restricted (8300.62)
- Retail Sales & Services: General (8300.63)
- Retail Sales & Services: Pawn Shops (8300.65)

- Custom Manufacturing (8350.3)

All conditional, Special Exception and accessory uses shall be subject to their appropriate review procedures.

2. Maximum Building Height:

The maximum building height shall be 50 feet or no more than 2 stories.

3. Maximum Building Size:

The maximum building size shall be in accordance with the base zoning district.

4. Maximum Number of Buildings:

The maximum number of buildings shall be in accordance with the base zoning district.

5. Building Setback Lines

South SPUD Boundary: 50 feet

East SPUD Boundary: 75 feet

6. Sight-Proof Screening:

A minimum 6-foot high sight-proof fence shall be provided along the east boundary. Said screening shall be constructed of one or a combination of the following materials: wood, brick, masonry block and/or wrought iron combined with landscaped shrubs and trees.

7. Landscaping:

A detailed landscape plan shall be required at the time of submittal of building permit, indicating materials, plant types, and sections depicting height and size to accomplish both adequate screening of commercial uses from adjacent residences to the east and fencing. West of said screen, there shall be installed a minimum 50-foot wide greenbelt. The greenbelt shall include a combination of the following elements:

7.1 An intermittent, no-continuous earthen berm, a minimum of six (6) feet higher than the adjacent residential property to the east; engineering and construction of said berm shall ensure, to the extent possible, that the berm will not create a dam effect causing potential overflow from the creek to drain to the east.

7.2 Trees planted at 30-foot centers should be staggered in at least two rows. Trees shall be a minimum of 2.5-inch caliper and shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.

7.3 A mixture of flowers and shrubbery shall be planted on and adjacent to the earthen berm.

7.4 A minimum 10-foot landscape buffer shall be installed along the south boundary consisting of trees planted on 30-foot centers.

8. Signs:

8.1 Freestanding Accessory Signs

Shall be in accordance with the Oklahoma City Municipal Code, 2020, as amended except that the following restrictions shall apply;

- Poles shall be covered with material consistent with the architectural style of the building it serves.

8.2 Attached Wall Signs

Shall be in accordance with the Oklahoma City Municipal Code, 2020, as amended except that the following restrictions shall apply;

- Shall not be permitted on the east wall of any building located within the east 150 feet.

8.3 Non-Accessory Signs

Non-accessory signs will be prohibited.

8.4 Electronic Message Display Signs

Electronic Message Display signs will be prohibited.

9. Access:

Access shall be via SW 104th Street with two private driveways. Driveway spacing shall be 160 feet center to center.

10. Sidewalks

A minimum five (5) foot sidewalk shall be constructed along S.W. 104th Street.

II. Other Development Regulations:

1. Architecture:

Exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 50% brick veneer, rock or stone masonry, stucco, LP smart siding, and cementitious siding (including, but not limited to, the brand commonly known as James Hardie). No more than 30% EIFS (Exterior Insulation Finish System) shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

2. Open Space:

N/A

3. Street Improvements:

N/A

4. Site Lighting:

The site lighting in this SPUD shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended. Outdoor lighting shall be directed away from adjacent properties to the east. Parking lot lighting shall be hooded to avoid spillage onto adjacent properties. No building lighting shall be permitted on the east side of buildings in the east 150 feet.

5. Alarm Systems:

Alarm systems shall not have exterior audible bells or sirens.

6. Delivery Hours:

Delivery hours for all uses, including trash pickup, shall not be before 6:00am and not after 10:00pm.

7. Dumpsters:

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

8. Parking:

The design and number of all parking facilities in this SPUD shall be in accordance with Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended.

9. Maintenance:

Maintenance of the common areas, private drainage easements, and islands / medians in the development shall be the responsibility of the property owner. 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.

10. Drainage:

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

III. Supporting Documents

Exhibit A: Legal Description

Exhibit B: Conceptual Site 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 (OCCHD)**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Natural Gas (ONG)**
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District(s) Moore**
- 7. Oklahoma Department of Transportation (ODOT)**

B. City Departments

1. Airports

Airports requests that an Avigation Easement right be granted to the Oklahoma City Airport Trust as a condition prior to obtaining a building permit.

Any lights placed on the property should be downward shielded to avoid the potential hazard of upward reflections towards aircraft.

- 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

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.
- 15) Add Section I.10 Sidewalks: A minimum five (5) foot sidewalk shall be constructed along S.W. 104th Street in accordance with the City of Oklahoma City Municipal Code and ADA requirements at the time of construction of this SPUD.
- 16) Amend Section II.9 Maintenance: Maintenance of the common areas, private drainage easements, and islands/medians in the development shall be the responsibility of the property owner. 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 that meets the requirements specified above.
- 17) The OKC Functional Classification Plan shows SW 104th St classified as a Major Arterial. The required driveway spacing for this classification is 200'. Amend Section I.9 to state 200' center to center.

b. Stormwater Quality Management

c. Traffic Services

- 1) Proposed driveways must meet driveway separation requirements from existing and proposed driveways as set forth in the Subdivision Regulations for driveways on a major arterial.

8. Utilities

a. Engineering

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) 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.

Wastewater Availability

- 1) An existing 12" wastewater main(s) is 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.

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.

A stream bisects the western portion of the site. Floodplain may be present but would require study to confirm. The development is required to comply with all City, State, and Federal requirements within the floodplain. National, state, and local permitting require basic best management practices for stormwater management. 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 the north side of SW 104th Street, an arterial street.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. *The SPUD regulations could provide a floor to area ratio within the Urban Low Intensity LUTA.*

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.
- 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.

The subject site does not currently have improved access. The SPUD proposes two drives along SW 104th Street, with a minimum 160 feet of separation from center to center. The conceptual plan for the development illustrates two drives along SW

104th Street, but also includes one drive to the private access drive abutting on the west for a standalone parking lot. Access to the drive will be per the owner.

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.

The SPUD regulations require a sidewalk along SW 104th 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 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 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 SPUD proposes altering the south setback to 50 feet and the east setback, adjacent to residential, to 75 feet. The SPUD provides additional mitigation along the eastern boundary by requiring a minimum 6-foot-high sight-proof fence, a minimum 50-foot greenbelt containing an intermittent, non-continuous earthen berm, at least 6 feet higher than the adjacent residential and two rows of trees planted on 30-foot centers. A minimum 10-foot landscape buffer with trees on 30-foot centers will also be installed along the southern boundary of the site.*

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 the north side of SW 104th Street, an arterial street in the Urban Low Intensity LUTA. No compatibility issues related to traffic requiring mitigation measures 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 SPUD allows some uses that could create operational impacts adjacent to residential, such as noise, odor, and light levels*

above those found in typical residential settings. The SPUD provides mitigation along the eastern boundary, adjacent to residential development, by requiring a minimum 6-foot-high sight-proof fence, a minimum 50-foot greenbelt containing an intermittent, no-continuous earthen berm, at least 6 feet higher than the adjacent residential and two rows of trees planted on 30-foot centers. A minimum 10-foot landscape buffer with trees on 30-foot centers will also be installed along the southern boundary of the site. Additional mitigation efforts could include increased setbacks for call boxes.

3) Service Efficiency:

- Water: *Served*
- Sewer: *Fully Served*
- Fire Service: *Urban 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 stream that bisects the eastern and western portions of the site. Floodplain may be present but would require study to confirm. The SPUD does not address the riparian area or stream, but the conceptual plan indicates the proposed development would be separated by the stream.*
- Upland Forests: N/A
- Vulnerable Aquifers: N/A

5) Transportation System: This site is located along the north side of SW 104th Street, a Major Arterial Street in the Urban Low LUTA. Transit (bus) service is not available.

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)

- Commercial buildings should be built at the street rather than behind a parking lot in order to promote pedestrian circulation, multipurpose shopping trips, and walkable and attractive streetscapes. (SU-28)
- 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)

b. Plan Conformance Considerations

The subject site is located along the north side of SW 104th Street, between South Interstate 44 and South May Avenue. The site is currently undeveloped and was zoned as part of PUD-831 in 2001. The subject site, along with abutting land to the north, is within Tract 1 of PUD-831 which allows commercial uses under a C-3 base. Land to the north is undeveloped and would remain zoned as part of PUD-831. It was preliminarily platted as South Portland Commercial Park Phase II in 2022 for five commercial lots. The site is split between the Airport Environs Zone One (AE-1) and

Two (AE-2) Overlay Districts for Will Rogers Airport, which would remain unchanged with the rezoning. Abutting the site to the east is a single-family residential neighborhood (South Harbor) zoned R-1. Across SW 104th Street to the south are oil/gas operations and Earlywine golf course. The property west of the site was rezoned to SPUD-1652 in September 2024 for light auto repair. Northwest of the site is PUD-1567 which was approved in 2015 for a Wal-Mart retail store and gas station. Other nearby uses include retail, restaurants, a bank, and a car wash. A small stream bisects the western portion of the site.

The PUD is requested for commercial uses, and specifically a restaurant. The existing zoning allows the proposed use, but requires driveways on SW 104th Street to be at least 200 feet apart. The new PUD requests driveway separation at 160 feet. The number of drives on the arterial street will still be limited to two within 500+ feet of frontage, but would allow both drives to be located east of the stream and guard rail. Access to the private drive on the west is controlled by Wal-Mart. The proposed PUD maintains the previously negotiated and platted setbacks, as well as the landscape buffers. Plan conformance could be strengthened by increasing the setback for callboxes from the neighborhood to the east.

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 subject to the following Technical Evaluations:

1. Modify sidewalk requirements to state: A minimum five (5) foot sidewalk shall be constructed along SW 104th Street in accordance with the City of Oklahoma City Municipal Code and ADA requirements at the time of construction of this SPUD.
2. Call boxes shall be setback at least 150 feet from a residential use or zoning district.

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.

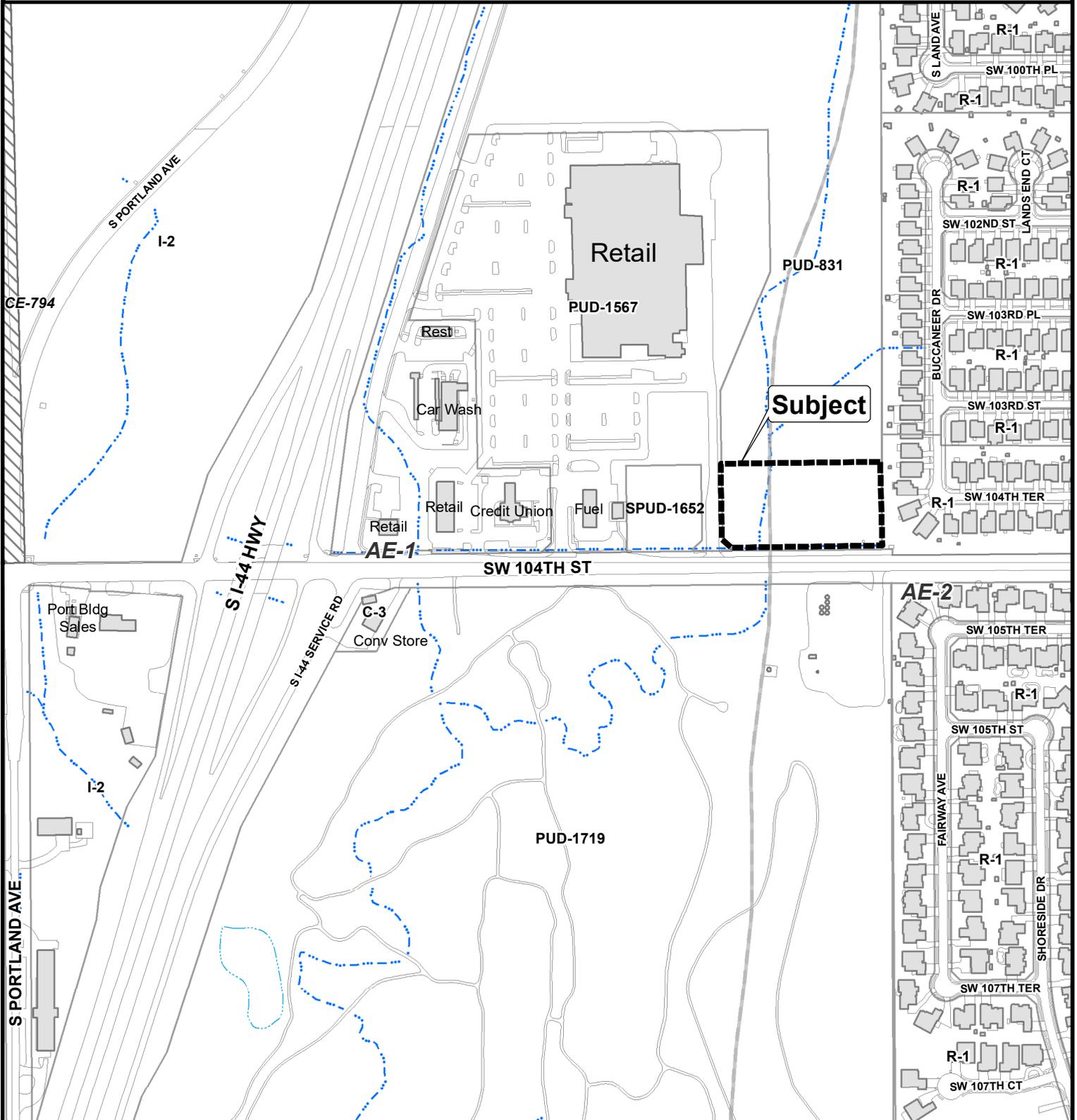
taj

Case No: SPUD-1684

Applicant: I-44 and South May, LLC

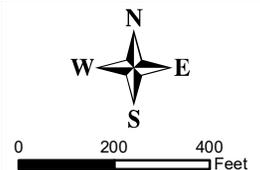
Existing Zoning: PUD-831 / AE-1 / AE-2

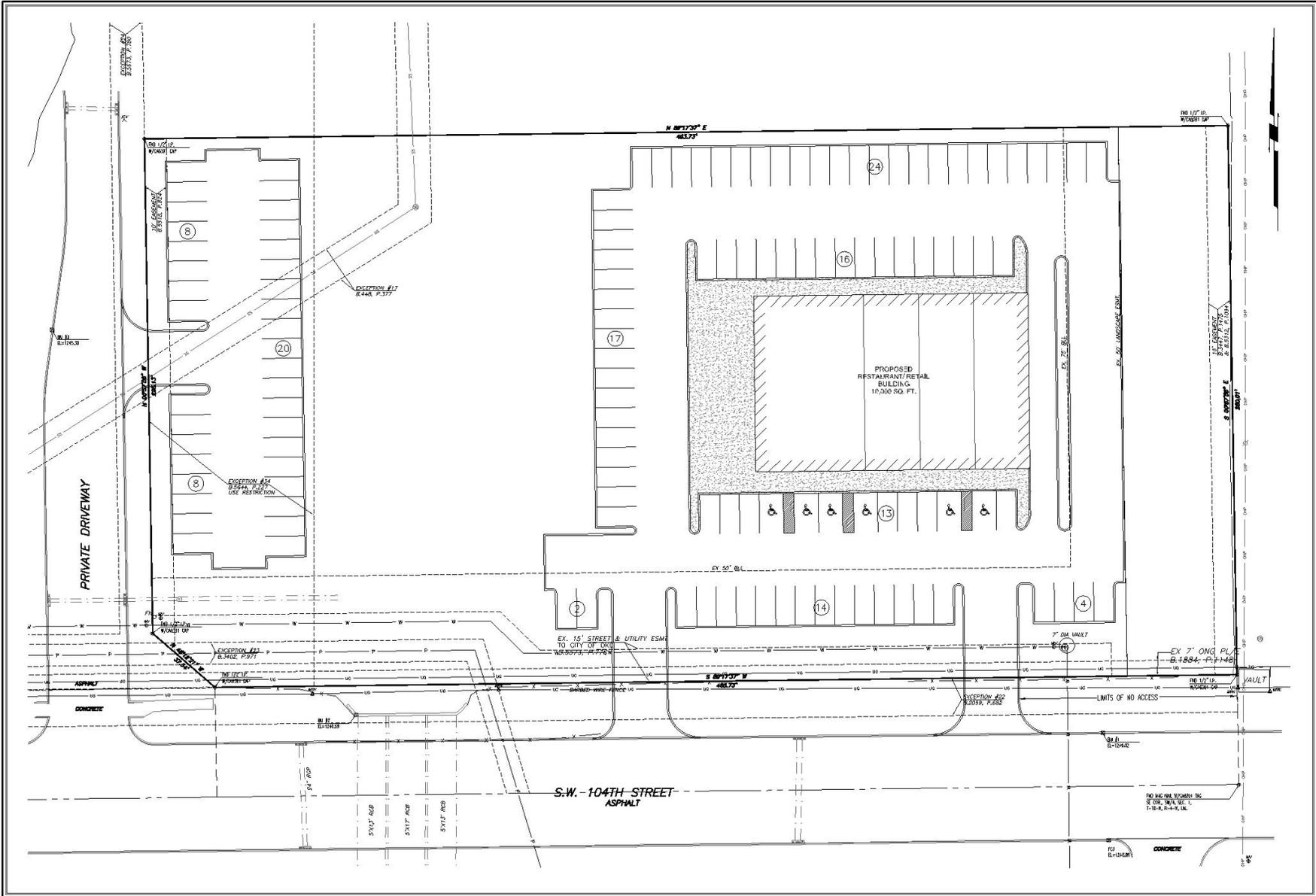
Location: 3249 SW 104th St.



The City of OKLAHOMA CITY

Simplified Planned Unit Development





SW 104TH ST. & I-44



SW 104TH ST. & I-44
CONCEPT LAYOUT

REVISIONS		DATE
NO.	DESCRIPTION	

PROJECT NUMBER:
 DATE:
 10-03-24
 SCALE:
 (HORIZ.) 1" = 20'
 (VERT.)

SHEET NUMBER
CONC

Arc Engineering Consultants, LLC
 CIVIL ENGINEERING
 LAND PLANNING
 110 WEST OCEAN ROAD
 PALM BEACH, FLORIDA 33411
 PHONE (561) 994-0022 FAX (561) 994-0949
 CERTIFICATE OF AUTHORIZATION NO. 9200 EXP. 6/30/25

Case No: SPUD-1684

Applicant: I-44 and South May, LLC

Existing Zoning: PUD-831 / AE-1 / AE-2

Location: 3249 SW 104th St.



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Simplified Planned Unit Development

