

Planning Commission Minutes  
July 25, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 3:47 p.m. on July 19, 2024)

14. (SPUD-1652) Application by I-44, LLC to rezone 3331 SW 104th Street from PUD-831 Planned Unit Development and AE-1 Airport Environs Zone One Overlay Districts to SPUD-1652 Simplified Planned Unit Development and AE-1 Airport Environs Zone One Overlay Districts. Ward 5.

The applicant was present. There were no protestors present.

**RECOMMENDED APPROVAL**

MOVED BY NEWMAN, SECONDED BY PENNINGTON

AYES: CLAIR, POWERS, PRIVETT, NEWMAN, GOVIN, PENNINGTON, NOBLE

ABSENT: LAFORGE, MEEK



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**July 25, 2024**

**Item No. IV. 14.**

**(SPUD-1652) Application by I-44, LLC to rezone 3331 SW 104<sup>th</sup> Street from PUD-831 Planned Unit Development and AE-1 Airport Environs Zone One Overlay Districts to SPUD-1652 Simplified Planned Unit Development and AE-1 Airport Environs Zone One Overlay Districts. Ward 5.**

**I. GENERAL INFORMATION**

**A. Contacts**

**1. Applicant/Developer Representative**

Name	Scott Darr
Company	Olsson
Phone	405-242-6600
Email	sdarr@olsson.com

**B. Case History**

This is a new application.

**C. Reason for Request**

The purpose of this application is to allow light auto repair.

**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: 1.2 acres**

**3. Zoning and Land Use**

	<b>Subject Site</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
<b>Zoning</b>	PUD-831/AE-1	PUD-1567/AE-1	PUD-1567/AE-1	PUD-1719/AE-1	PUD-1567/AE-1
<b>Land Use</b>	Undeveloped	Commercial	Access Drive	Golf Course	Gas Station

**II. SUMMARY OF SPUD APPLICATION**

1. This site will be developed in accordance with the regulation of the **C-3 Community Commercial and AE-1 Airport Environs Zone One Districts** (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:

The following use(s) will be the only use(s) permitted on this site:

8300.14 Automotive and Equipment: Cleaning and Repairs, Light Equipment

**1.1 Minimum Lot Size:** 40,000 sf

**1.2 Minimum Lot Width:** 50 ft

2. **Maximum Building Height:** 35 ft

3. **Maximum Building Size:** 8,000 sf

4. **Maximum Number of Buildings:** 1

5. **Building Setback Lines**

Front Yard: 25 ft

Rear Yard: None

Side Yard: None

Corner Side Yard: None

6. **Sight-proof Screening:**

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

7. **Landscaping:**

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

8. **Signs:**

**8.1 Free standing accessory signs:** Freestanding signs shall be permitted per base zoning district requirements.

**8.2 Attached signs:** Attached signs shall be permitted per base zoning district requirements.

**8.3 Non-Accessory Signs:** Non-accessory signs shall be prohibited.

**8.4 Electronic Message Display signs:** Electronic message display signs shall be prohibited.

**9. Access:**

No new driveways shall be permitted from SW 104th Street. Shared cross-access shall be permitted.

**10. Sidewalks:**

Five (5) foot sidewalks shall be constructed along SW 104<sup>th</sup> Street, 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 and ADA requirements. Four (4) foot sidewalks shall be constructed on the interior streets prior to any occupancy certificates being issued.

**II. Other Development Regulations:**

**1. Architecture:**

Exterior building wall finish on all structures shall consist of a minimum 70% brick veneer, masonry, rock, stone, stucco, or wood, or other similar type finish. A maximum of 30% EIFS (Exterior Insulation Finish System) material 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 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.

- 5. Dumpsters:** 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.
- 6. Parking:** 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.
- 7. Maintenance:** 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.
- 8. Drainage:** Development of this SPUD will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.
- 9. Other:** N/A

### **III. Supporting Documents**

Exhibit A: Legal Description

Exhibit B: Site Plan Exhibits

### **III. REVIEW COMMENTS**

This application was submitted to the following agencies, departments, and/or divisions for review and comment. An asterisk indicates that the agency, department, and/or division responded with no adverse comments.

**A. Outside Agencies**

- 1. Oklahoma City-County Health Department**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Natural Gas:** Please contact OKIE-ONE 1-800-522-6543 a minimum of 48 hours prior to excavation for the exact location of our facilities.
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District:** Moore
- 7. Oklahoma Department of Transportation (ODOT)**

**B. City Departments**

- 1. Airports:** Lighting should be shielded to avoid the potential hazard of upward reflections toward 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**
  - 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) Sidewalks shall be installed for all new construction and/or at the time of a residential use to a more intense use on all lots having frontage on public streets classified as a major or minor arterial.
- 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 Management\***

**8. Utilities**

**a. Engineering**

**Wastewater Availability**

- 1) An existing 8-inch/12-inch 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) Plat may be revised after review and approval of utility plans.

**Water Availability**

- 1) An existing 12-inch water main(s) is located adjacent to the subject site(s).
- 2) Minimum ten (10) feet horizontal separation required from wastewater mains and five (5) feet for other utilities. Minimum two (2) foot vertical separation required for all utility crossings. All water mains must have a minimum cover of five (5) feet along section line roads and four (4) feet elsewhere.
- 3) Proposed and/or existing water mains must be located centrally within a twenty (20) feet wide or larger utility easement or right-of-way. No trees, signs, dumpster, fence, and/or structures shall be permitted over any proposed or existing utility main. An approved revocable permit must be obtained to have any private improvement located within any utility easement and/or right-of-way.
- 4) Dead-end water mains must be avoided when possible. All existing unused water services must be capped and abandoned at the water main in accordance with the City Standard Specifications.
- 5) In accordance with ODEQ regulations, the City provides water at a minimum pressure of 25 psi. The developer is responsible for designing and construction of all fixtures to provide adequate domestic and fire protection under minimum pressure conditions. The developer will be responsible for any failure of domestic or fire protection systems which require water pressure more than 25 psi. The developer is responsible for installing pressure reducers if necessary for protection of developer's service lines, plumbing, and fixtures.
- 6) All existing and/or proposed water meters must be located in the right-of-way and/or utility easement within grassy areas outside of sidewalks, driveways, streets, and paving.
- 7) All domestic and fire suppression services must have a separate water service connection. Fire hydrant spacing shall not exceed 500 feet and must be located within ten (10) of a hard surface (i.e. sidewalk, street, paving).

8) Supply capacity for development is not guaranteed and will be reviewed at time of review of construction documents.

9) Sign placement may have to be moved due to existing waterline in the area.

**b. Solid Waste Management**

1) The City can provide solid waste collection services to commercial customers providing refuse is not excess of 270 gallons per customer per pick up § 49-30 (a). Otherwise, the customer will have to utilize a private hauler for dumpster service.

**9. Planning**

**a. Comprehensive Plan Considerations**

**1) LUTA Development Policies:**

Site Design:

- Utilize Best Management Practices (BMP) for stormwater whenever possible.
- Developments should be served by urban water and sewer utility systems.

*National, state, and local permitting require basic best management practices for stormwater management. Public water 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.
- Provide vehicular connectivity between adjacent developments.
- Horizontally mixed-use developments should have connectivity between land uses.

*The subject site currently does not have improved access. The SPUD proposes utilizing only shared cross-access and not permitting new driveways along SW 104th Street.*

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 not currently available on the subject site but are installed east and west of the site along SW 104th Street. The SPUD regulations require sidewalks along all streets.*

- 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 similar uses no potential compatibility issues are identified by the comprehensive plan.
- 3) **Service Efficiency:**
  - Water: *Served*
  - Sewer: *Fully Served*
  - Fire Service: *Urban Response*
- 4) **Environmentally Sensitive Areas:** No ESAs were identified on the subject site.
- 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**
  - 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)
  - 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 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 is included in both Tract 1 and 2 of PUD-831 which allow a variety of commercial and institutional uses. The subject site is surrounded by PUD-1567 which was approved in 2015 for a Wal-Mart retail store and

gas station. Wal-Mart is to the north, and the gas station abuts the subject site on the west. Other nearby uses include retail, restaurants, a bank, and a car wash. The internal circulation system is already installed and would be used by the development without the need for drives on SW 104<sup>th</sup> Street. Across the street to the south is a golf course (Earlywine).

The SPUD is requested with C-3 base zoning and limits uses to one: *8300.14 Automotive and Equipment: Cleaning and Repairs, Light Equipment*, with the intended user Brakes Plus. The proposed location sits between two tracts in PUD-831, and the proposed use is only allowed in one of them. In addition to allowing the use on the entire property, the SPUD requires shared cross-access to the north, west and east, and prohibits a driveway off SW 104<sup>th</sup> Street. The SPUD would prohibit non-accessory and electronic message display signage and would require a sidewalk to be constructed along SW 104<sup>th</sup> Street. The SPUD would require outdoor lighting to be shielded from, and dumpster distance 50 feet from, adjacent residential uses. No conformance issues were identified.

#### **IV. STAFF RECOMMENDATION**

*Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning Commission. Planning Commission decisions require a vote of five members to approve or deny an item. The Planning Commission may consider in its decision-making process any additional relevant information presented at the public hearing by the public, applicant, and/or City departments.*

##### **Approval of the application.**

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

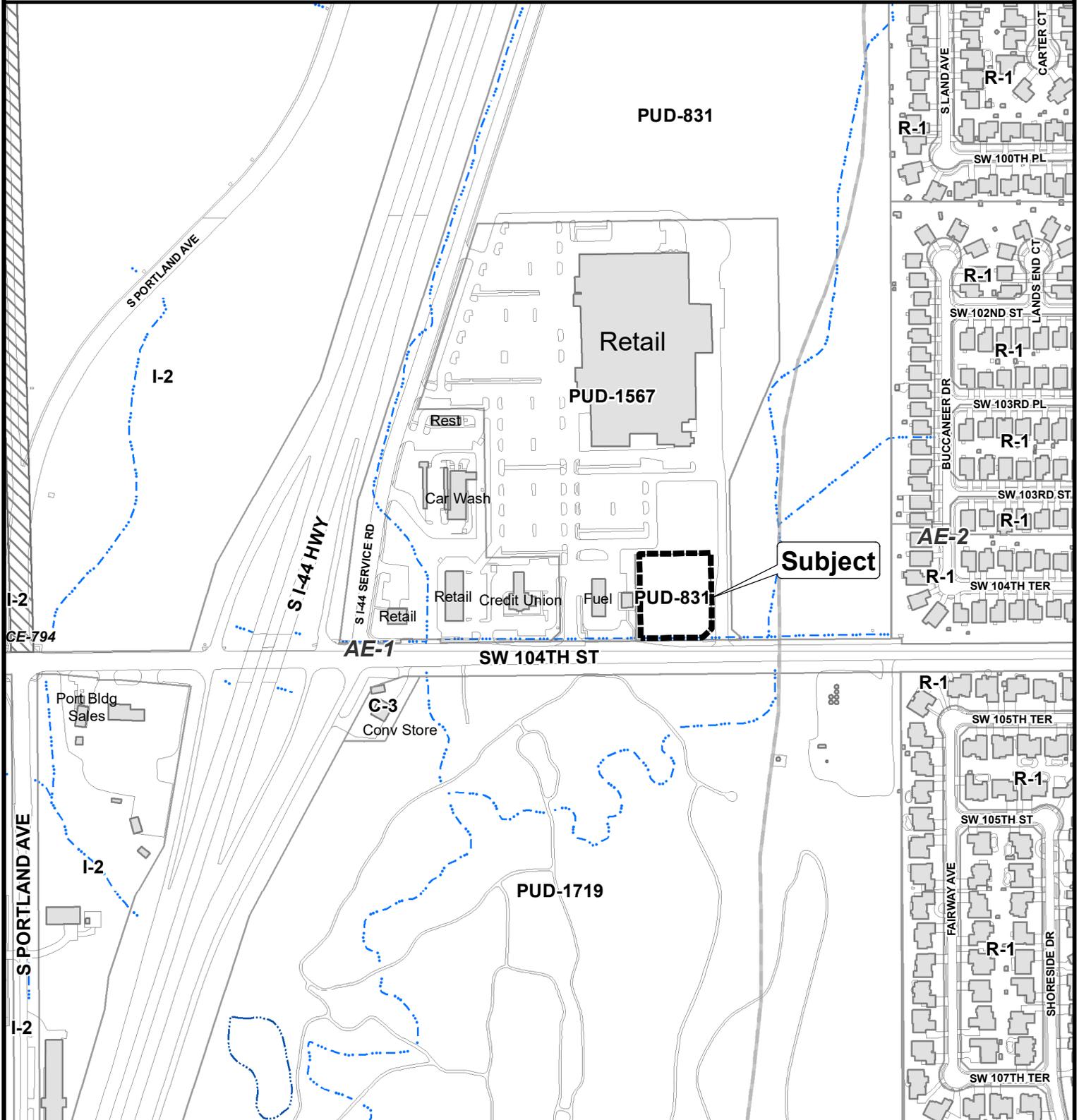
bd

Case No: SPUD-1652

Applicant: I-44, LLC

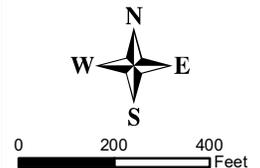
Existing Zoning: PUD-831 / AE-1

Location: 3331 SW 104th St.



The City of OKLAHOMA CITY

# Simplified Planned Unit Development













Case No: SPUD-1652

Applicant: I-44, LLC

Existing Zoning: PUD-831 / AE-1

Location: 3331 SW 104th St.



Aerial Photo from 2/2022



The City of  
OKLAHOMA CITY

# Simplified Planned Unit Development

