

Planning Commission Minutes
March 14, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 8:07 a.m. on March 11, 2024)

13. (SPUD-1604) Application by Miguel Umanzor to rezone 5421 South May Avenue from R-1 Single-Family Residential District to SPUD-1604 Simplified Planned Unit Development District. Ward 6.

Amended Technical Evaluation:

1. Specify that setbacks for any new structures will meet code requirements in place at the time of development.
2. Approval is contingent upon site development standards being met, and permeable paving is allowed subject to Public Works approval.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION AS AMENDED.

MOVED BY GOVIN, SECONDED BY PRIVETT

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



STAFF REPORT
The City of Oklahoma City
Planning Commission
March 14, 2024

Item No. IV. 13.

(SPUD-1604) Application by Miguel Umanzor to rezone 5421 South May Avenue from R-1 Single-Family Residential District to SPUD-1604 Simplified Planned Unit Development District. Ward 6.

I. GENERAL INFORMATION

A. Contacts

1. Applicant/Developer Representative

Name	Miguel Umanzor
Company	Apex Barber and Supply
Phone	(405) 821-1291
Email	apexbarberandsupply@gmail.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow single-family residential and a barber shop/salon in an existing residential structure.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Urban – Medium (UM)

UM applies to fully urbanized areas of the city, most of which were built prior to the 1960s. Developments are expected to be larger in scale and have greater intensity and mixture of uses than developments found in UL. Development within UM areas should support efficient transit usage and provide pedestrian and bicycle access to retail, services, parks, and other destinations. Priorities for the UM areas include “infill” developments on vacant lots, rehabilitation of underutilized property, and development that supports revitalization of distressed neighborhoods.

2. Size of Site: 0.39 acres

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1	R-1	R-1	R-1	R-1
Land Use	Barber Shop	Residential	Residential	Residential	Residential

II. SUMMARY OF SPUD APPLICATION

- 1. This site will be developed in accordance with the regulations of the O-2 General Office 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:

Single-Family Residential (8200.14)

Convenience Sales and Personal Services (8300.32), limited to a barbershop / salon inside the existing residential structure.

Specific Standards found in Chapter 59, Article IX, Section 9350, "Standards for Specific Uses" of the Oklahoma City Municipal Code 2020, as amended, do not apply.

- 2. Maximum Building Height:**

The existing building height shall be permitted within this SPUD. All new structures shall meet the requirements of the base zoning district at the time of development.

- 3. Maximum Building Size:**

The existing building sizes are permitted within this SPUD. All new structures shall meet the requirements of the base zoning district at the time of development.

- 4. Maximum Number of Buildings:**

The two (2) existing buildings are permitted within this SPUD. All new structures shall meet the requirements of the base zoning district at the time of development.

- 5. Building Setback Lines**

Front Yard (N. May Ave): 25'

Rear Yard: 0'

Side Yard: 5'

Corner Side Yard: 15'

- 6. Sight-proof Screening:**

No less than a six-foot and no greater than an eight-foot-high sight proof screen shall be required along SPUD boundaries adjacent to properties zoned for residential use. Said sight-proof screen may be constructed of stucco, brick, stone, wood, steel/iron and/or any combination thereof and shall be solid and opaque.

7. Landscaping:

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

8. Signs:

8.1 Free standing accessory signs

Freestanding signs will not be permitted within this SPUD.

8.2 Attached Signs

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

8.3 Non-Accessory Signs

Non-accessory signs are not permitted in this SPUD.

8.4 Electronic Message Display Signs

Electronic Message Display signs shall not be permitted in this SPUD.

- 9. Access:** Access may be taken from N May Avenue via a maximum of one (1) private drive and from SW 53rd Street via a maximum of one (1) private drive. The existing drive along N May Avenue shall be permitted and may be used for access to the rear of the lot to service the proposed parking lot. The drive aisle may be permitted to be 14 feet in width.

10. Sidewalks

There is an existing five-foot sidewalk along N May Avenue. Should the said sidewalk be removed during construction, the developer shall be required to make the necessary repairs and/or replace if necessary.

All sidewalks shall be in place prior to any occupancy certificates being issued.

II. Other Development Regulations:

1. Architecture:

All structures constructed within this SPUD shall comply with the following architectural standards:

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.

The existing structure shall be deemed in conformance with this SPUD and shall be permitted.

- 2. Open Space:** Per the base zoning district.

3. Street Improvements: N/A

4. Site Lighting:

All site lighting utilized within this SPUD shall be directed away from any adjacent properties. To accomplish this, lights shall utilize shields, shades or other appropriate methods of directing light beams. The site lighting in this SPUD shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, as amended.

5. Dumpsters:

Dumpsters (if provided) shall be consolidated where practical and located within an area screened by a fence or masonry wall of sufficient height to screen the dumpster from view.

Said dumpster shall not be permitted within 50 feet from all property lines adjacent to residential uses.

6. Parking:

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

7. Maintenance:

Maintenance of the site shall be the responsibility of the developer and/or property owner.

8. 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: 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

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: Oklahoma City**
- 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

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.

STAFF REPORT

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- 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.
- 11) Amend Section I.10 Sidewalks to read: There is an existing five-foot sidewalk along N May Avenue. Should said sidewalk be or removed during construction, the developer shall be required to make the necessary repairs and/or replace if necessary. All reconstructed and existing sidewalks shall be provided in accordance with the City of Oklahoma City Municipal Code and ADA requirements at the time of construction of this SPUD. All sidewalks shall be in place prior to any occupancy certificates being issued.

b. Stormwater Quality Management

c. Traffic Management*

8. Utilities

a. Engineering

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. No service will be provided for waste deemed uncollectable per ordinance § 49-21.(17). The City can also service residential customers providing there is sufficient space for the truck to maneuver to service the addition.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Maintain historical lot and block sizes where possible and appropriate.
- Utilize Best Management Practices (BMP) for stormwater.

- Design buildings to include facades, storefront windows, and attractive signage and lighting to create pedestrian-scale visual interest.

Location:

- Mixture of density, lot size and building scale is appropriate as long as land use compatibility is achieved.

Density: The non-residential Floor to Area Ratio (FAR) range for the Urban Medium Intensity LUTA is 0.4 to 1.2 with a typical FAR of 1. The UM LUTA outlines a density range of 10 to 40 dwelling units per acre.

National, state, and local permitting require basic best management practices for stormwater management. The SPUD is requested to allow a barbershop / salon within an existing residential structure. The site is developed with a single-family residence and outbuilding to the rear of the residence. The current development has a FAR below or within the UM LUTA range.

Automobile Connectivity:

- Limit curb cuts on arterial streets and where possible, concentrate access for retail development at shared entrance points.
- Development fronting arterials should take access from intersecting streets where possible.

The site currently has a paved curb cut along both S May Avenue and SW 53rd Street. The SPUD proposes to maintain one drive along each frontage.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are currently available on the subject site along S May Avenue and across SW 53rd Street, to the south. The SPUD proposes to maintain the existing sidewalk along S May Avenue.

- 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 use adjacent to existing Low Intensity Residential, “Building Scale and Site Design” and “Traffic” 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 the 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 is requested to allow a barbershop / salon within an existing residential structure. The SPUD regulations allow only the single-family residential and the barbershop / salon uses within an O-2 base zone. New development would be

subject to increased setbacks and be subject to step down in height, screening, and a landscape buffer adjacent to residential uses on the north and west.

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.

No triggers requiring mitigation were identified.

3) Service Efficiency:

- Water: *Served*
- Sewer: *Fully Served*
- Fire Service: *Urban Service Level*

4) Environmentally Sensitive Areas: The following apply to the proposed development site:

- Riparian Areas: N/A
- Upland Forests: N/A
- Vulnerable Aquifers: The aquifer in this area is considered highly vulnerable to depletion. The comprehensive plan recommends preserving natural open spaces and utilizing low impact development techniques whenever possible in new developments in order to maintain water quality and allow for the infiltration of stormwater onsite.

5) Transportation System: The subject site is located at the northwest corner of S May Avenue, a Major Arterial Street, and SW 53rd Street, a Neighborhood Street, both in the Urban Medium LUTA. The nearest transit (bus) service is located across the street to the east, along S May Avenue.

6) Other Development Related Policies

- Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
- Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)
- Support and incentivize the adaptive use of existing buildings, infill development, and brownfield development. (G-10)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
- 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 at the northwest corner of S May Avenue and SW 53rd Street. The site, and all adjacent property, are zoned R-1 and developed with single-family residences. The subject site contains an existing single-family residence fronting S May Avenue and a detached outbuilding located to the west of the residence. The house has been converted to a barbershop. The SPUD is requested to allow the existing barbershop/salon inside the existing residential structure and to maintain the single-family residential use. No other uses are permitted. No freestanding signs are permitted.

The SPUD allows reduced setbacks to accommodate the current buildings, but should specify that should the site be redeveloped, new buildings would be per the zoning code.

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 Evaluation:

1. Specify that setbacks for any new structures will meet code requirements in place at the time of development.

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.

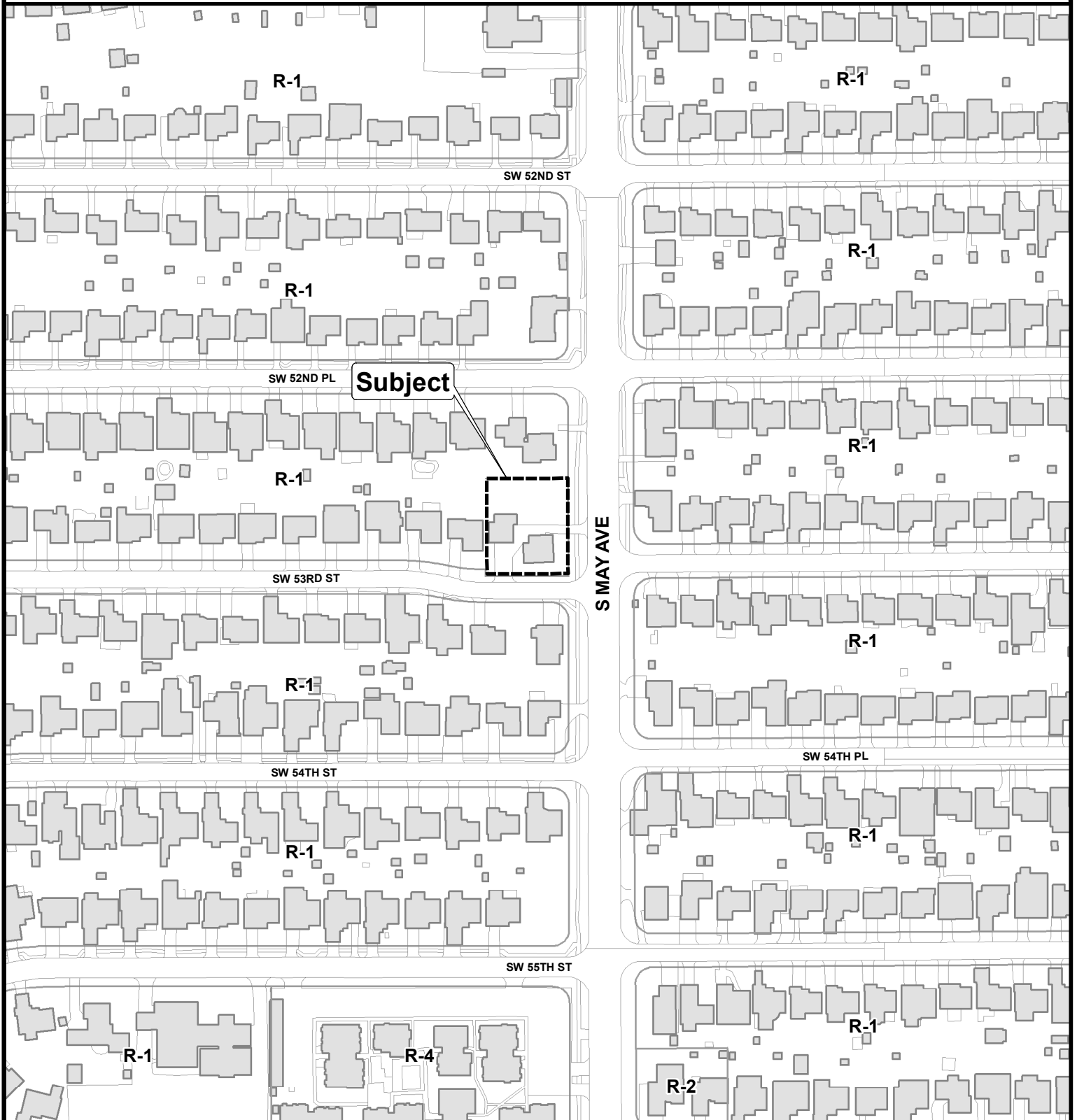
bd

Case No: SPUD-1604

Applicant: Miguel Umanzor

Existing Zoning: R-1

Location: 5421 S. May Ave.



Note: "Subject" is located approximately 1,905' North of SW 59th St.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 100 200
Feet

SPUD-1604, Exhibit B

5421 SOUTH MAY AVENUE

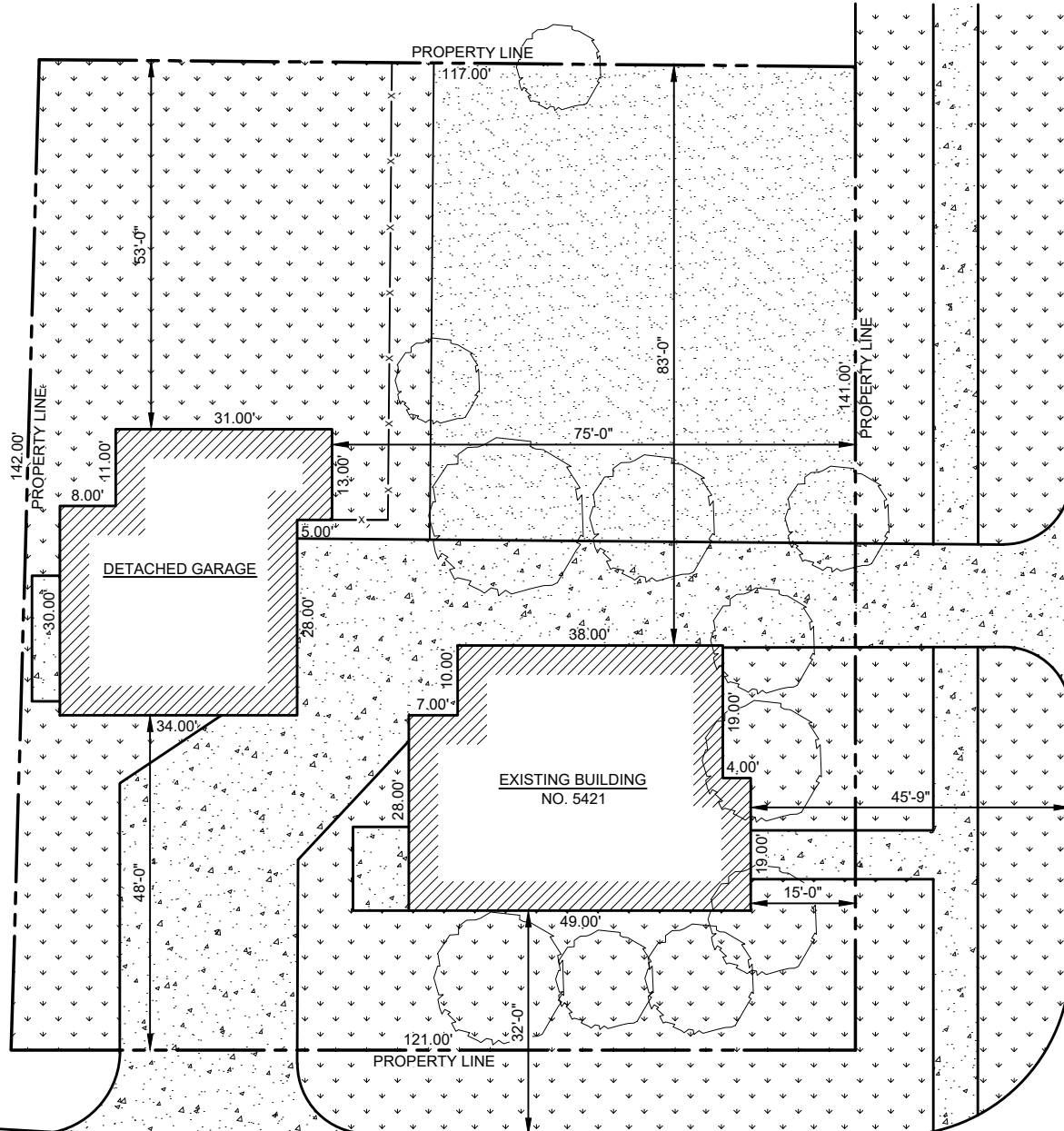
Site Plan #1

OKLAHOMA CITY, 73119

PARCEL ID: 13-246-4025

LOT AREA: 0.38 ACRES

PAPER SIZE 8.5"x11"

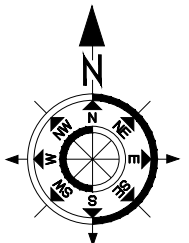


SOUTH MAY AVENUE

SW 53RD STREET

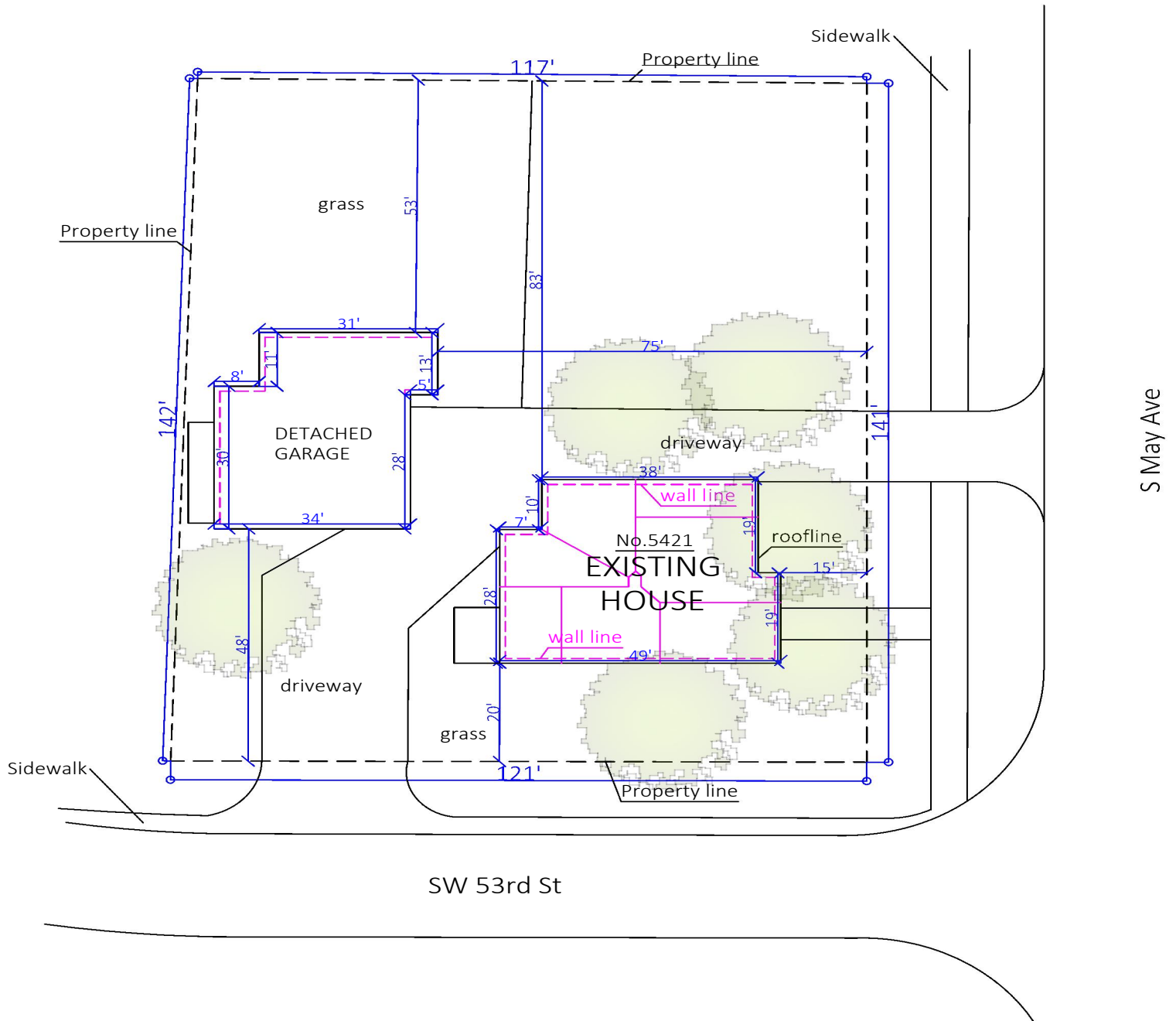
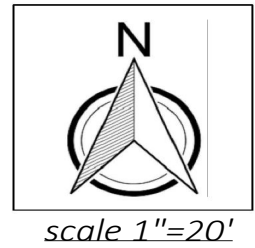
SITE PLAN

SCALE: 1:300



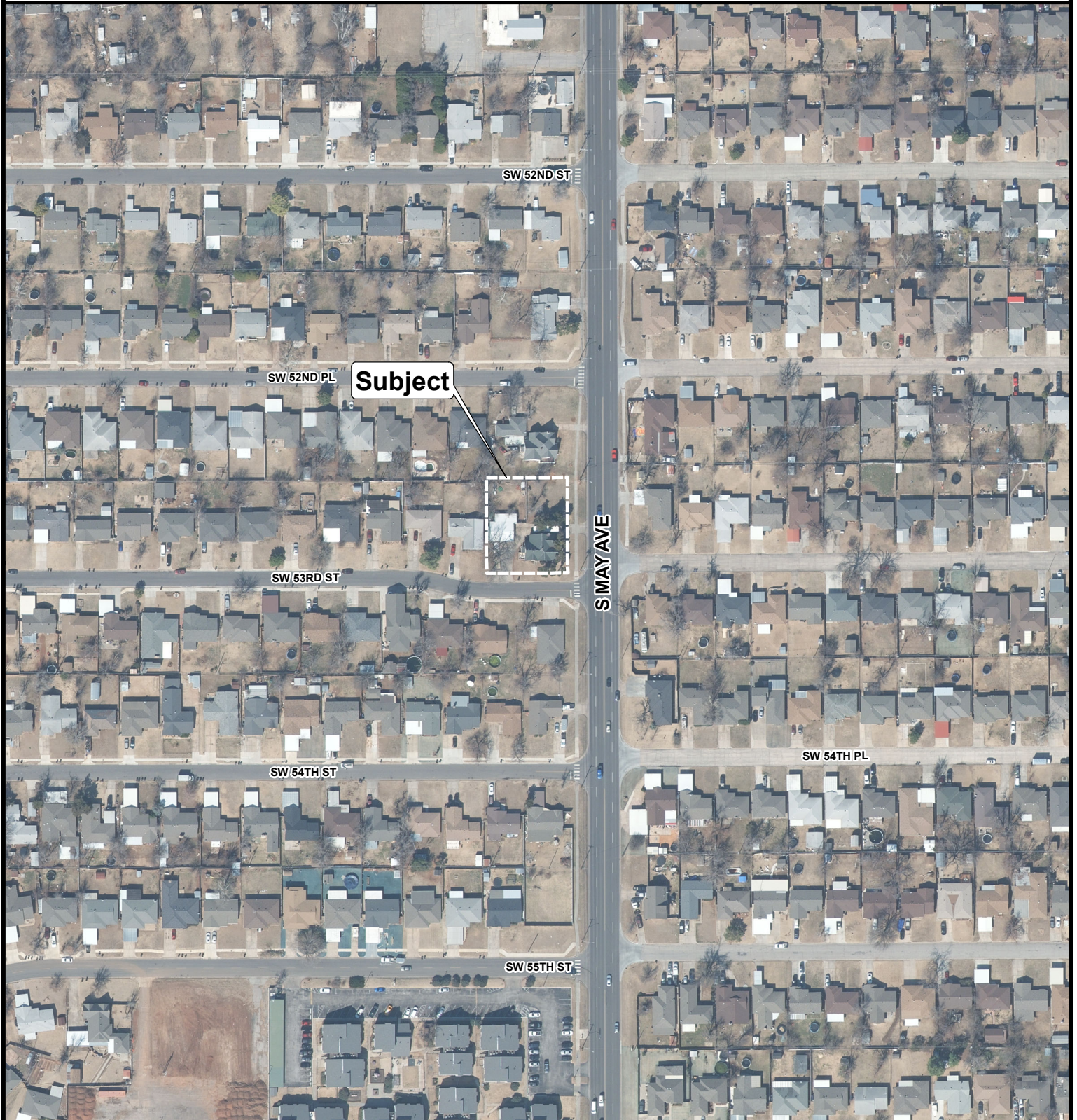
SITE PLAN
5421 S May Ave
Oklahoma City, OK 73119
Parcel ID: 13-246-4025
Lot area: 0.38 Acres
Paper Size: 11"x17"

SPUD-1604 Exhibit C
Site Plan #2



Case No: SPUD-1604
Existing Zoning: R-1
Location: 5421 S. May Ave.

Applicant: Miguel Umanzor



Aerial Photo from 2/2022

Note: "Subject" is located approximately 1,905' North of SW 59th St.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 100 200
Feet