

Planning Commission Minutes
February 27, 2025

(The agenda was filed with the City Clerk of The City of Oklahoma City at 4:58 p.m. on February 21, 2025)

4. (PC-10961) Application by Manolo Deleon to rezone 4100 NW 23rd Street from R-1 Single-Family Residential District to C-1 Neighborhood Commercial District. Ward 3.

The applicant was present. There were no protesters present.

RECOMMENDED APPROVAL.

MOVED BY MEEK, SECONDED BY NEWMAN

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

ABSENT: PENNINGTON, LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
February 27, 2025

Item No. IV. 4.

(PC-10961) Application by Manolo Deleon to rezone 4100 NW 23rd Street from R-1 Single-Family Residential District to C-1 Neighborhood Commercial District. Ward 3.

I. GENERAL INFORMATION

A. Contacts

Applicant

Manolo Deleon
405-875-9184
Manolodeleon84@gmail.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to allow commercial use and development, specifically a barber shop.

D. Existing Conditions

1. Size of Site 7,801 Square Feet

2. Zoning and Land Use

| | Subject Site | North | East | South | West |
|-----------------|---------------------|--------------|-------------|--------------|-------------|
| Zoning | R-1 | O-2 | R-1 | R-1 | R-1 |
| Land Use | Residential | Office | Residential | Residential | Residential |

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. 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 Water Resources Board (OWRB)**
- 5. School District (Oklahoma City)**
- 6. Oklahoma Department of Transportation (ODOT)**
- 7. Oklahoma Natural Gas (ONG)**
- 8. Oklahoma Electric Cooperative (OEC)**

B. City Departments

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire (OCFD) ***
- 4. Information Technology/Geographic Support (IT/GIS)**
- 5. Parks and Recreation**
- 6. Police (OCPD)**
- 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 the applicable requirements of the Oklahoma City Municipal Code, as amended

- 2) Storm sewers in accordance with the City of Oklahoma City's Drainage Ordinance, will be required. For developments abutting section line roads where rainfall-runoff exceeds the capacity of the City of Oklahoma City's standard ditch detail, the installation of enclosed storm sewers and/or concrete channels will be necessary. These improvements must be positioned to provide a minimum clearance of 35 feet from the centerline of the section line road. Concrete channels must be located entirely outside the public right-of-way.
- 3) A flood/drainage study will be required to establish finished floor elevations, common lot areas, and private drainage easements. This study must be reviewed and approved by the Public Works Department.
- 4) Plans for drainage improvements within private drainage easements and/or common areas must be submitted for review. Building permits will not be issued until construction is complete. For subdivisions abutting a stream, private drainage easements and/or common areas along the stream must, at a minimum, encompass the entire FEMA-mapped Zone AE and floodway within the limits of the development.
- 5) Place the following note on the plat and construction plans: Maintenance of the common areas, private drainage easements, and islands/medians shall be the responsibility of the Property Owners Association and/or the adjacent property owners. 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 drainage related common areas 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.
- 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) Sediment and erosion control measures shall be provided for any construction in accordance with Oklahoma Statutes Title 27A, OAC 606 - OPDES Standards, and the City of Oklahoma City Municipal Code, as amended.

A City of Oklahoma City Land Disturbance Permit and an ODEQ Construction Permit are required for land disturbance activities exceeding one (1) acre, as specified by the above-referenced regulations. Additionally, a City of Oklahoma City Land Disturbance Permit is required for any

construction activity, regardless of the amount of land disturbed, unless exempt under the ordinance.

- 8) Sidewalks shall be installed for all new construction in accordance with the Municipal Code. Any new sidewalks or repair/replacement of existing sidewalks shall be provided in accordance with the City of Oklahoma City Municipal Code and ADA requirements at the time of construction.

- 9) All private roads /streets will have private storm sewer systems.

8. Streets, Traffic and Drainage Maintenance

9. Stormwater Quality Management

10. Traffic Services *

11. Utilities

a. Wastewater Comments

1. No objections. Using existing services established.

b. Water Comments

1. No objections. Using existing services established.

c. Solid Waste Management

No Solid Waste Management services needed.

12. 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 south side of NW 23rd Street, an arterial street in the Urban Low Intensity LUTA.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. *The subject site is currently developed with a single-family residence. The site has a FAR of 0.13. The C-1 regulations could provide new or continued development within the Urban Low Intensity 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 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.

The subject site is located at the southwest corner of NW 23rd Street and North Tulsa Avenue. NW 23rd Street is classified as an arterial street in the Urban Low Intensity LUTA. The site is currently served via one drive along North Tulsa Avenue. Any changes to access would be per Code requirements.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

Sidewalks are currently available along both street frontages. Any changes to pedestrian connectivity would be per Code requirements.

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 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 C-1 District regulations allow a greater lot coverage than the site’s existing and the adjacent R-1 Districts. Code will require a step-down in height, screening, and a landscape buffer for new commercial development adjacent to a*

residential district. Mitigation measures beyond Code requirements cannot be stipulated in a base zoning request.

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 at the southwest corner of NW 23rd Street, a Major Arterial Street, and North Tulsa Avenue, a Minor Connector Street, in the Urban Low Intensity LUTA. No triggers requiring mitigation measures related to traffic 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 proposed C-1 District allows a limited number of uses “that will not create increased traffic, noise or other incompatible factors caused by uses serving a larger part of the City”. The zoning district does not allow fast food drive-thru, large gas sales, or auto sales/repair uses. Code will require increased setbacks, screening, and landscape buffers adjacent to a residential district. Mitigation measures beyond Code requirements cannot be stipulated in a base zoning request.*

3. Service Efficiency:

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

4. Transportation System: *This site is located at the southwest corner of NW 23rd Street, a Major Arterial Street, and North Tulsa Avenue, a Minor Connector Street in the Urban Low LUTA. The nearest transit (bus) service is located just east of the site, along NW 23rd Street.*

5. Other Development Related Policies

- Encourage the integration and mixing of land uses in urban areas. (SU-1)
- Favor commercial development clustered in nodes at arterial or collector intersections or along brief “main street” style corridors over commercial development extending in a linear pattern for long distances along highway, arterial, or collector corridors. (SU-25)
- 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)
- 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)

b. Plan Conformance Considerations

The subject site is located at the southwest corner of NW 23rd Street and North Tulsa Avenue. The site, along with land to the east, south, and west, is zoned R-1 and developed with single-family residential. The NW 23rd Street corridor contains a mixture of R-1, O-2, and SPUD zoning developed with a mixture of residential, office, and retail uses. The application seeks to rezone the site from R-

1 to the C-1 District. The intended use for the property is a barber shop. The proposed C-1 District generally allows a limited number of uses “that will not create increased traffic, noise or other incompatible factors caused by uses serving a larger part of the City”. The zoning district does not allow fast food drive-thru, large gas sales, or auto sales/repair uses. If the site is redeveloped, Code will require increased setbacks, screening, and landscape buffers adjacent to a residential district.

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.

gjh

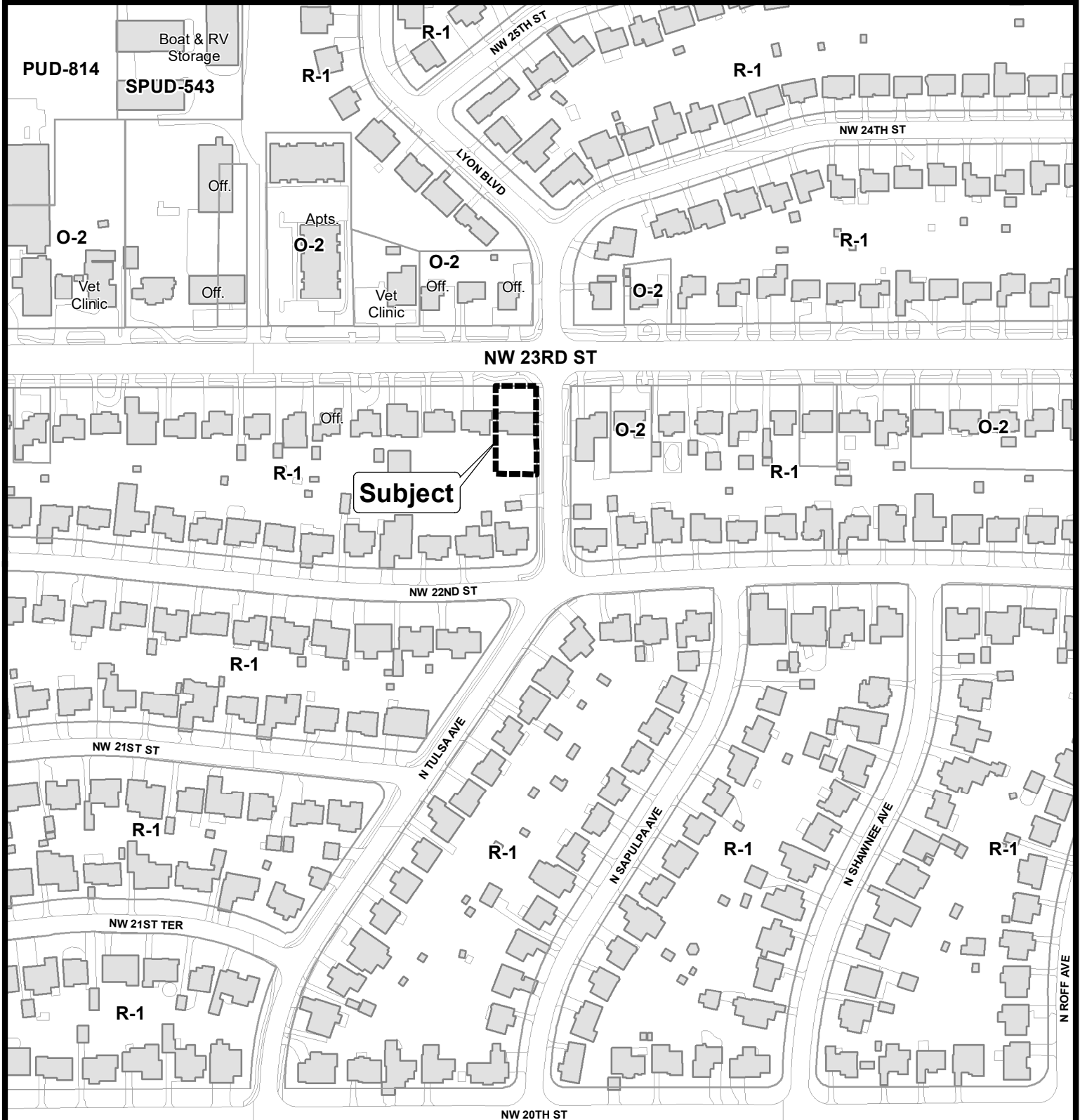
Case No: PC-10961

Existing Zoning: R-1

Location: 4100 NW 23rd St.

Applicant: Manolo Deleon

Proposed zoning: C-1



Note: "Subject" is located approximately 2,245' West of N. Portland Ave.



The City of
OKLAHOMA CITY

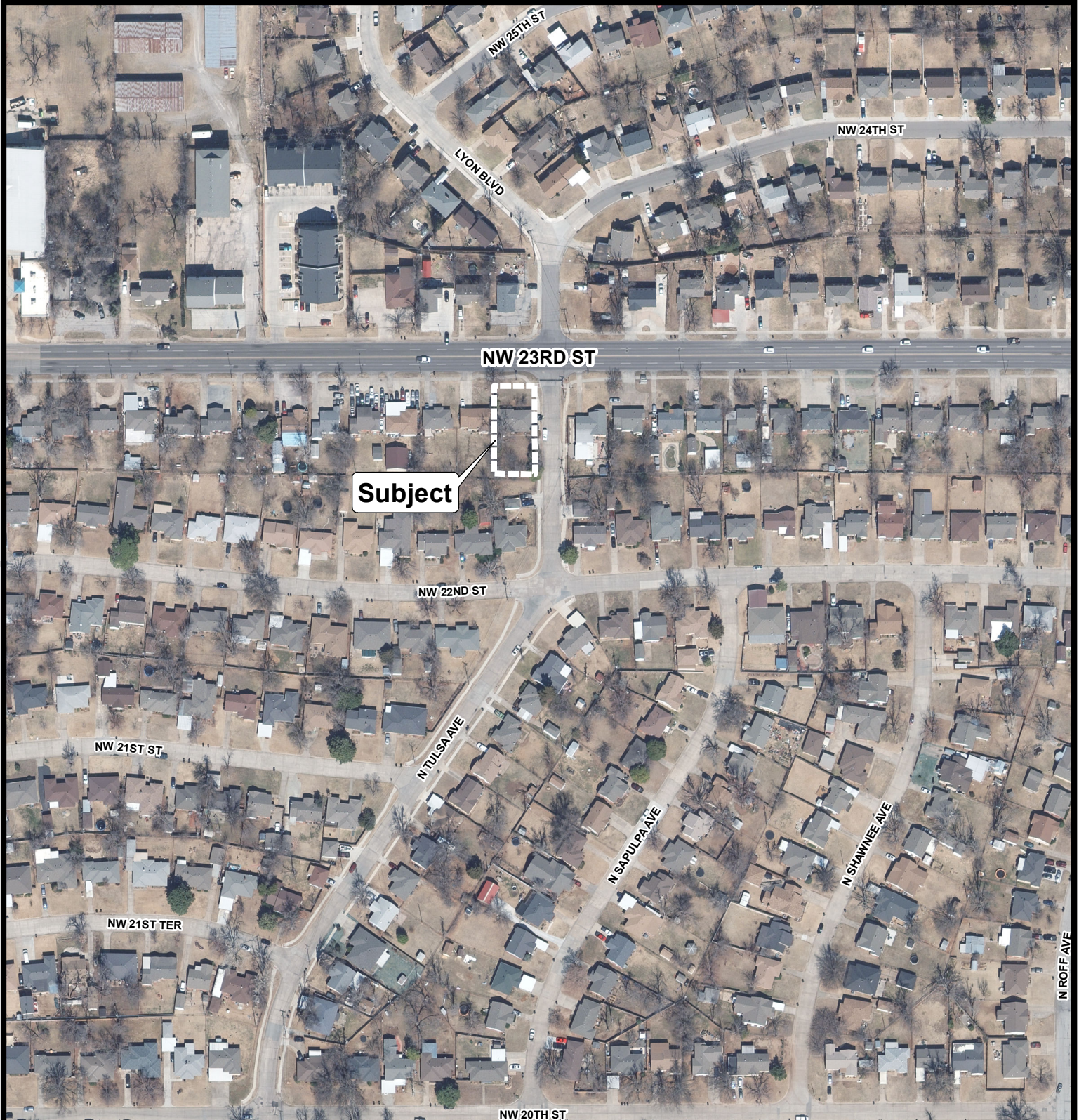
Rezoning Application



0 100 200
Feet

Case No: PC-10961
Existing Zoning: R-1
Location: 4100 NW 23rd St.

Applicant: Manolo Deleon
Proposed zoning: C-1



Aerial Photo from 2/2022

Note: "Subject" is located approximately 2,245' West of N. Portland Ave.



The City of
OKLAHOMA CITY

Rezoning Application



0 100 200
Feet