

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)

13. (PC-10951) Application by 7500 Center, LLC to rezone 7502 North May Avenue from R-1 Single-Family Residential & C-3 Community Commercial Districts to C-3 Community Commercial District. Ward 2.

The applicant was present. There were no protesters present.

RECOMMENDED APPROVAL.

MOVED BY POWERS, SECONDED BY MEEK

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

ABSENT: PRIVETT



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

Item No. IV. 13.

(PC-10951) Application by 7500 Center, LLC to rezone 7502 North May Avenue from R-1 Single-Family Residential and C-3 Community Commercial Districts to C-3 Community Commercial District. Ward 2.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

David Box
Williams, Box, Forshee & Bullard, P.C.
405-232-0080
dmbox@wbfbllaw.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to allow commercial development.

D. Existing Conditions

1. Size of Site 0.76 Acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1/C-3	PUD-930	C-3	C-3	C-3
Land Use	Parking Lot	Parking Lot	Retail	Retail	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. 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 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 PC 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.

8. Streets, Traffic and Drainage Maintenance

9. Stormwater Quality Management

10. Traffic Services *

11. Utilities

a. Wastewater Comments

1. An existing 8” 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.
7. Plat may be revised after review and approval of utility plans.

b. Water Comments

1. An existing 6" 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.
9. Plat may be revised after review and approval of utility plans.

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 North May Avenue, 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 currently has a FAR of 0.274. The C-3 District regulations could provide new or continued development within the UL LUTA FAR 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.
- Protect existing traditional street grid and reconnect it where possible.
- 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.
- Keep existing alleys open and functional.

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

The subject site is located at the northeast corner of North May Avenue, an arterial street, and Pembroke Terrace. The site is served via two drives along Pembroke Terrace, one drive along North May Avenue, and one improved access to the improved alley adjacent on the north. Any changes to automobile connectivity would be per Code requirements.

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 available on the subject site, along North May Avenue, and under an awning adjacent to the storefronts on the site. 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. In this case, the portion of the site adjacent to residential uses is already zoned C-3. The R-1 portion of the subject site is surrounded by C-3 zoned property. No new compatibility issues were identified on the site.
- 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 at the northeast corner of North May Avenue, a Major Arterial Street, and Pembroke Terrace, a Neighborhood Street in the Urban Low LUTA. The nearest transit (bus) service is located within a mile to the south, along North May Avenue and NW 63rd Street.
- 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)
- 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)
- Initiate new efforts to reduce sign clutter and improve the aesthetics of signs, while allowing for adequate and visible business identification (E-14)

7) Other Considerations: Retail Node and Corridors (Reaffirm)

Retail nodes and corridors seek to develop a robust retail sector to generate sales tax levels and growth to fund quality services for the City and to meet needs for goods and services to enhance the quality of surrounding neighborhoods. Corridors targeted for revitalization need help strengthening retail uses through filling vacant space, landscape and beautification efforts, façade programs, business coordination and the introduction of new complementary land uses.

The site is part of a larger area identified in ~~plan~~**okc** as a Retail Priority Area under the “Reaffirm” Framework. The retail area includes the North May Avenue, NW 63rd Street, and NW Expressway corridors from NW 34th Street to West Britton Road. Applicable policies under this framework include:

- Facilitate expansion opportunities for new retail.
- Maintain community scale retail in nodes rather than allowing linear expansion.
- Upgrade streetscapes for visual coherency and place quality.

- Ensure good street connectivity between and within existing and future centers and retrofit for connectivity as appropriate.
- Create or enhance pedestrian connections between buildings and centers.
- Undertake landscaping and beautification efforts to enhance the customer experience.

b. Plan Conformance Considerations

The subject site is located at the northeast corner of North May Avenue and Pembroke Terrace, generally south of NW Grand Boulevard. The site is developed with a small retail center and parking on the east, south, and west of the building. The subject site is zoned R-1 along North May Avenue, and C-3 on the east side of the site. CV-2019-1253 vacated any previously platted public ways, streets, alley and parking easements on the subject site. North of the site is land zoned PUD-930, which is utilized for parking. Northeast, southwest, and across North May Avenue to the west, are C-3 zoned properties primarily developed with retail centers. East, and south of the site are developed with single-family residential zoned R-1 and a daycare and tailor shop zoned C-3.

The rezoning is requested to address a non-conformity with a parking lot located in the R-1 District, and would bring all property under common ownership into the same zoning district. The portion of the site adjacent to residential uses is already zoned C-3. The R-1 portion of the subject site is surrounded by C-3 zoned property. No new compatibility issues were identified with the request to rezone the residential portion of the site. In the event of new development on the site, Code will require increased setbacks, screening, and landscape buffers along east side of the property where adjacent to a residential district. The proposed C-3 District is consistent with the comprehensive plan's designation as a Retail Priority Area that applies to the N May Avenue corridor.

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

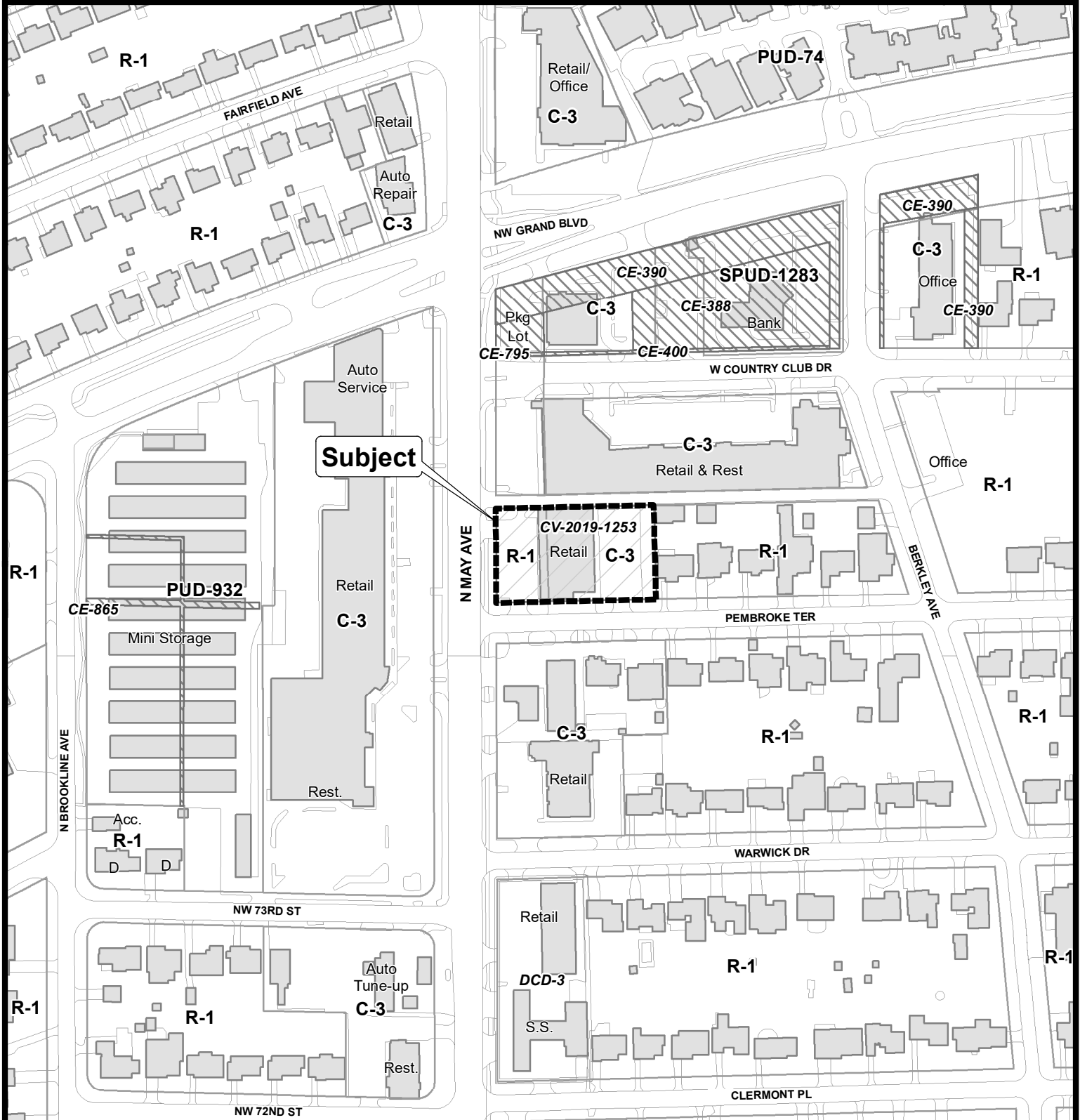
Case No: PC-10951

Applicant: 7500 Center, LLC

Existing Zoning: R-1 / C-3

Proposed zoning: C-3

Location: 7502 N. May Ave.

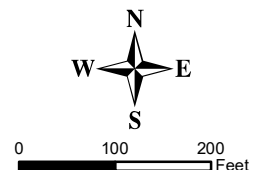


Note: "Subject" is located approximately 1,615' South of W. Wilshire Blvd

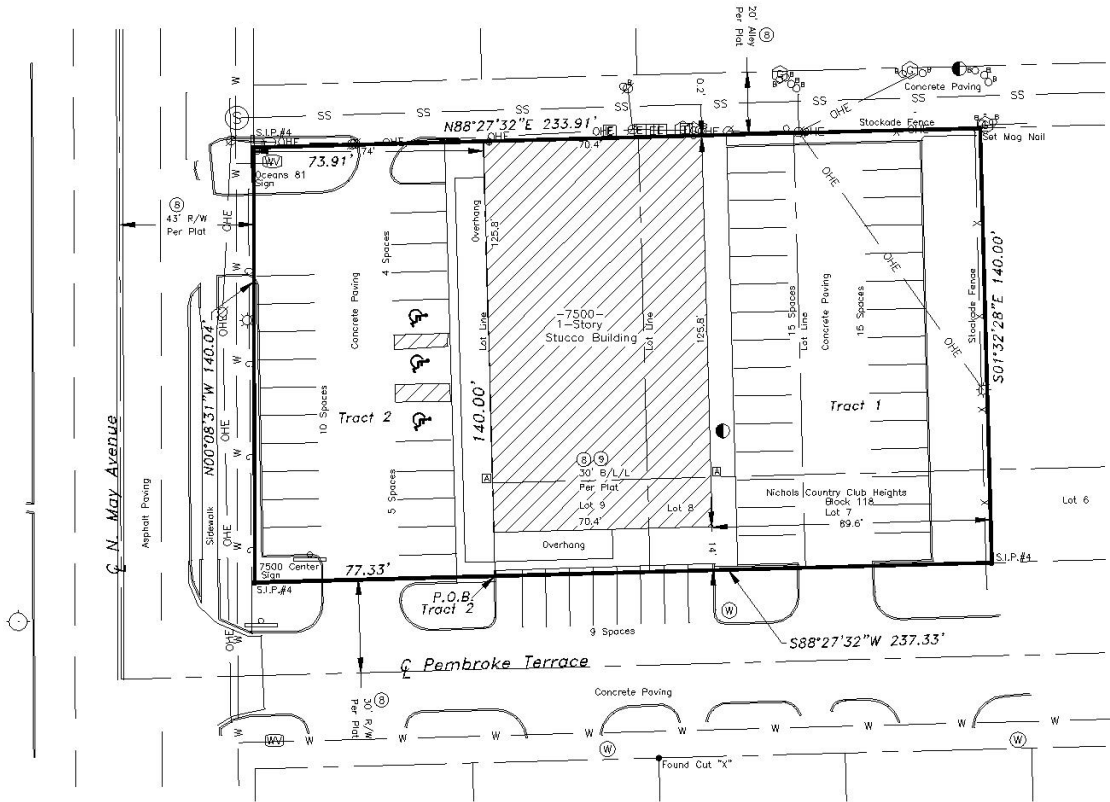


The City of
OKLAHOMA CITY

Rezoning Application

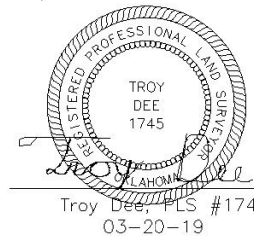
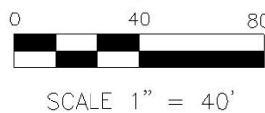
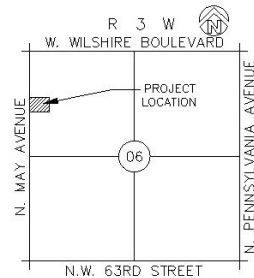


ALTA/NSPS LAND TITLE SURVEY



The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown compromise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that utilities are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. Shown located utilities were marked in reference to Call OKIE #19030108580569.

LEGEND	
POWER POLE	GAS METER
LIGHT POLE	GAS VALVE
UTILITY ANCHOR	SS
ELECTRIC METER	FIRE HYDRANT
ELEC. TRANSFORMER	WATER METER
SEWERY SINKER MANHOLE	WATER VALVE
SEWERY SINKER CLEANOUT	SECTION CORNER
STORM SEWER MANHOLE	QUARTER CORNER
TELEPHONE RISER	S.I.P. SET 3/8" IRON PIN
IRIGATION CONTROL VALVE	F.I.P. FOUND 3/8" IRON PIN
BOLLARD	TREE
FIRE DEPARTMENT CONNECT	ART CONDUIT/CHUTE
	TRAFFIC SIGNAL BOX
	WATER LINE
	GAS LINE
	SEWERY SINKER LINE
	TELEPHONE LINE
	ELECTRIC LINE
	OVERHEAD POWERLINE
	BARBED WIRE FENCE
	BUILDING LIMIT LINE
	UTILITY EASEMENT
	W/L
	LP
	IRON PIN
	W/C
	FRANCOIS
	COMP
	CORRUGATED METAL PIPE
	ROP
	REINFORCED CONCRETE PIPE



EXCEPTIONS:

#8: All matters set forth in Plat recorded in Book 27, Page 64. Affects as shown.

#9: Building lines and utility easement across the subject property as shown on plat. Affects as shown.

#10: Easement in favor of G. A. Nichols recorded in Book 1136, page 322. Assigned to Suburban Water Company by Conveyance of Easement recorded in Book 1184, page 487. Affect, blanket in nature.

#11: Grant and Easement in favor of Suburban Water Company recorded in Book 1467, page 362. Assigned to City Water Works Trust by Deed and Conveyance recorded in Book 1627, page 370. Does not affect.

GENERAL SURVEY NOTES:

- Said described property in, by graphical plotting only, located within an area having a Zone Designation "X" unshaded by FEMA, on Flood Insurance Rate Map No. 40109C0165 H, dated December 18, 2009.
- The Property has direct access to N. May Avenue and Pembroke Terrace, being dedicated public streets.
- The total number of striped parking spaces on the subject property is 52, including 3 designated handicap spaces.
- There is no observed evidence of current earth moving work, building construction or building additions.
- There are no proposed changes in street right of way lines, to the best of my knowledge. There is no observed evidence of recent street or sidewalk construction or repairs.
- There is no observed evidence of site use as a solid waste dump, sump or sanitary landfill.
- A assumed bearing of South 88°27'32" West as the South line of Block 118 of Nichols Country Club Subdivision per Oklahoma State Plane Grid North was used as the basis of bearing for this survey.
- Zoning classification have not been provided by the insurer and therefore are not shown on this survey.

Legal Description:

Tract 1
Lots Seven (7), Eight (8) and Nine (9), Block One Hundred Eighteen(118), NICHOLS COUNTRY CLUB HEIGHTS, an Addition, to Oklahoma County, Oklahoma, according to the recorded plat thereof.

Tract 2
That certain property identified on the Plat of Nichols Country Club Heights, recorded in Book 27, page 64, known as Boulevard Center Parking, the legal description being as follows: Beginning at the South corner of Lot 9, Block 118, Nichols Country Club Heights; thence West a distance of 77.33 feet; Thence North 0°00'00" East a distance of 140.04 feet; Thence East a distance of 73.91 feet to the Northwest corner of Lot 9; Thence South along the West line of Lot 9, a distance of 140 feet to the Southwest corner of Lot 9, being the point of beginning.

Containing 32,986.80 Sq. Ft. or 0.76 Acres, more or less.

POSSIBLE ENCROACHMENTS:

A: South face of building is over the 30' building limit line.

To: Lakeside Realty Management LLC, Oklahoma City Abstract & Co. and American Security Title Insurance Company.

The property described hereon is located completely within the property described in Oklahoma City Abstract & Co. Commitment No. 1901338 dated March 05, 2019.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes no items of Table A thereof. The field work was completed on March 05, 2019.

I further certify that this survey meets the Oklahoma Minimum Standards for the practice of land surveying and that there are no visible encroachments across the boundary lines other than those shown.

**7500 N. May ALTA
Golden Land Surveying**

920 N.W. 139th St. Pkwy. Oklahoma City, Oklahoma 73013
C.A.# 7263 / Exp. Date =6/30/2020
Telephone: (405) 802-7883 Job No:19167
troy@goldenlands.com

Case No: PC-10951

Applicant: 7500 Center, LLC

Existing Zoning: R-1 / C-3

Proposed zoning: C-3

Location: 7502 N. May Ave.



Aerial Photo from 2/2022

Note: "Subject" is located approximately 1,615' South of W. Wilshire Blvd



The City of
OKLAHOMA CITY

Rezoning Application



0 100 200
Feet