



STAFF REPORT
The City of Oklahoma City
Planning Commission
June 12, 2025

Item No. IV. 16.

(PC-10974) Application by Retfiveo Investments LLC to rezone 7025 Kleiner Avenue from R-1 Single-Family Residential District to R-2 Medium-Low Density Residential District. Ward 3.

I. GENERAL INFORMATION

A. Contacts

Applicant

Dale Murdock
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B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to allow residential development, specifically duplexes.

D. Existing Conditions

1. Size of Site: 1.29 Acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-1	AA	AA	AA	I-1/R-4
Land Use	Residential	Church	Residential	Undeveloped	Church/Exterminator

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 (Western Heights)**
- 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 Engineering 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 designated as either public or private in the 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 and streets shall have a private storm sewer system.

8. Stormwater Quality Management

9. Traffic Services *

10. Utilities

a. Wastewater Comments

1. No public wastewater service is available for the development. A private on-site wastewater disposal system is required in accordance with ODEQ rules and regulations. Applicants is responsible for obtaining all required City and ODEQ Permits. On-site wastewater disposal system must be installed by an ODEQ certified installer and inspected by ODEQ.
2. There is an existing 8” sanitary sewer line along N County Line Rd that could possible be extended to this development. Engineer will have to determine how much of it can be served with Public Sewer.

b. Water Comments

1. An existing 6-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 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.

11. 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 is available on the site; however, access to the public sewer system is not available nearby and aerobic systems would be utilized on the site. The development would need to comply with ODEQ requirements for aerobic / septic systems.

Density: The Urban Low Intensity LUTA outlines a density range of 4 to 8 dwelling units per acre for single family residential. *The proposed R-2 District allows single-family residential on minimum 5,000 square foot lots and/or 1 du/3,000 square feet for duplex development, but lot sizes will be larger for the proposed site due to lack of sewer. The applicant anticipates 4 duplexes (8 dwelling units) on the 1.29-acre site for 4 du/acre; however, the number of lots is determined by the base zoning allowances.*

Automobile Connectivity:

- Keep existing alleys open and functional.

The subject site abuts a platted alley to the west. Access cannot be specified in a base zoning request and is per Code and Subdivision Regulations.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development.

Sidewalks are not currently available on the subject site. Sidewalk requirements would be per Code and cannot be stipulated in a base zoning request.

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 agricultural, industrial, or residential uses or zoning, “Building Scale and Site Design” 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 subject site abuts I-1 zoned land developed with a church to the northwest and an office / warehouse zoned R-4 to the southwest. Across Kleiner Avenue, to the east, are single-family residences zoned AA. The residences to the east sit on 75-foot*

wide lots with parcel sizes ranging from 7,000- to 14,000-square feet. The setbacks, lot coverage and building height allowed in R-2 are similar to the existing R-1 District. No other triggers requiring mitigation measures related to building scale and site design 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 comprehensive plan states that in some cases, a proposed project may need to take measures to reduce the impact of an existing use and specifically identifies placing residential uses next to an industrial use as an example. Abutting land to the northwest is zoned I-1 but is currently developed with a church. No other triggers requiring mitigation measures related to operational impact were identified.*

3. Service Efficiency:

- Water: *Served*
- Sewer: *Not Served*
- Fire Service: *Urban Response*

4. Environmentally Sensitive Areas: No ESAs were identified on the site.

5. Transportation System: This site is located along the west side of Kleiner Avenue, between Ellis Street and Winnie Street, all of which are Neighborhood Streets in the Urban Low LUTA. Transit (bus) service is not available nearby.

6. Other Development Related Policies

- Support diversity and integration of housing unit types and sizes in all land use typology areas in order to meet the diverse needs of households of different sizes, generational needs, incomes, and preferences. (SU-4)
- Encourage redevelopment and infill development on vacant, underutilized, and brownfield sites in urbanized areas. (SU-19)
- 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)
- 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 along the west side of Kleiner Avenue, between Ellis Street and Winnie Street. The site is generally located east of South Council Road and north of SW 74th Street. The site is located within Wheatland, which was formerly a rural town that was annexed into Oklahoma City in the early 1900s. The site is currently zoned R-1 and developed with a vacant structure. Land to the north, across Ellis Street, and across Kleiner Avenue, to the east, is developed with single-family residential on lots zoned AA that do not meet today's 5-acre minimum lot size, and range from 7,000- to 14,000-square feet. South of the site, across Winnie Street, is a 6-acre, AA zoned parcel developed with a barn and utilized for agricultural purposes. The subject site abuts I-1 zoned land developed with a church to the northwest and an office / warehouse zoned R-4 to the southwest.

The requested R-2 District would allow two-family residential (duplex) development. The site is within the Urban Low Intensity LUTA. The comprehensive plan expects developments within the Urban Low LUTA to be served by public water and sewer. However, in this location, while public water is available, sewer is not. A conceptual plan is not required with base zoning applications, and if provided is not binding. The exhibit provided with this application indicates plans for four new duplexes on 100-foot wide lots (14,000 square feet) that would be served by aerobic systems. The development would need to comply with ODEQ requirements for aerobic / septic systems unless sewer is extended. The proposed R-2 District requires the same setbacks, lot coverage, and building height regulations as the site's existing R-1 District. The proposed density (4 du/acre) is consistent with UL range, and the conceptual plan indicates new parcel sizes would be consistent with the homes on the same street. However, the site is not served by sewer. If the application is not approved, the land would remain zoned R-1 and could be developed for single-family residential per the R-1 regulations.

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 or denial of the application.

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