

Planning Commission Minutes
April 24, 2025

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:59 a.m. on April 21, 2025)

11. (SPUD-1727) Application by D&I Properties, LLC to rezone 1004 NE 7th Street from R-2 Medium-Low Density Residential District to SPUD-1727 Simplified Planned Unit Development District. Ward 7.

Technical Evaluation:

1. If used for access, the alley shall be improved in accordance with the applicable City of Oklahoma City Standards and Specifications.

The applicant was present. There were no protesters present.

RECOMMENDED APPROVAL SUBJECT TECHNICAL EVALUATION.

MOVED BY PENNINGTON, SECONDED BY MEEK

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

ABSENT: GOVIN



STAFF REPORT
The City of Oklahoma City
Planning Commission
April 24, 2025

Item No. IV. 11.

(SPUD-1727) Application by D&I Properties, LLC to rezone 1004 NE 7th Street from R-2 Medium-Low Density Residential District to SPUD-1727 Simplified Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

1. Applicant Representative

Name David Box
Company Box Law Group, PLLC
Phone 405-652-0099
Email david@boxlawgroup.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow residential use and development, specifically two duplexes.

D. Existing Conditions

1. Size of Site: 0.1607 Acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	R-2	R-2	SPUD-977	C-3	R-2
Land Use	Residential	Residential	Multifamily Residential	Residential	Residential

3. 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.

Innovation District Land Use Plan: General Urban

On November 18, 2021, the Planning Commission approved the Oklahoma City Innovation District Land Use Plan as an amendment to the comprehensive plan. The subject site is within an area designated “General Urban”.

General Urban areas should be made up primarily of horizontally mixed residential and commercial uses in a variety of building forms and have a density ranging from 2 to 4 stories.

Single-unit and multi-unit residential uses should be integrated with low-scale commercial buildings. Commercial uses should occur in a variety of building forms that may contain a mixture of uses within the same structure. Residential uses should be primarily located along local residential streets. Commercial uses should be primarily located along mixed-use arterial and connector streets but may be located at or between intersections of local neighborhood streets.

II. SUMMARY OF SPUD APPLICATION

- 1. This site will be developed in accordance with the regulation of the R-3 Medium Density Residential District (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:**

All uses within the R-3 District shall be permitted on this site.

- 2. Maximum Building Height:**
The maximum building height shall be in accordance with the base zoning district regulations.
- 3. Maximum Building Size:**
The maximum building size shall be in accordance with the base zoning district regulations.
- 4. Maximum Number of Buildings:**
There shall be a maximum of two (2) buildings and four (4) dwelling units allowed on the same parcel within this SPUD.
- 5. Building Setback Lines**

North: 5 feet
South: 5 feet
East: 5 feet
West: 5 feet

- 6. Sight-Proof Screening:**
Sight-proof screening shall be in accordance with the base zoning district regulations.
- 7. Landscaping:**
The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.
- 8. Signs:**
Signage shall be in accordance with the base zoning district regulations, except that Off-Premise and EMD signs are prohibited.
- 9. Access:**
Access may be taken from NE 7th St. and the platted alley to the south.
- 10. Sidewalks**
Shall be in accordance with the base zoning district regulations.

II. Other Development Regulations:

- 1. Architecture:**
Exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock or stone masonry, wood, stucco, and cementitious siding (including, but not limited to, the brand commonly known as James Hardie). No more than 30% EIFS (Exterior Insulation Finish System) shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.
- 2. Open Space:**
Open space shall be in accordance with the base zoning district regulations.
- 3. Street Improvements:**
N/A.
- 4. Site Lighting:**
The site lighting in this SPUD shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended.
- 5. Dumpsters:**
Trash collection facilities in this SPUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.
- 6. Parking:**
The design and number of all parking facilities in this SPUD shall be in accordance with Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended, except there shall be no more than six (6) required parking spaces within this SPUD.

7. Maintenance:

Maintenance of the common areas, private drainage easements, and islands / medians 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 parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

III. Supporting Documents

Exhibit A: Legal Description

Exhibit B: Conceptual 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 (OCCHD)**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Natural Gas (ONG)**
- 5. Oklahoma Water Resources Board (OWRB)**
- 6. School District(s) Oklahoma City**
- 7. Oklahoma Department of Transportation (ODOT)**

B. City Departments

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire**

Driveway needs to be 20' wide for fire access.

4. Information Technology/Geographic Support

5. Parks and Recreation

6. Police

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.
10. Add to Sidewalks Section: 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 of this SPUD.

b. Stormwater Quality Management

c. Traffic Services *

8. Utilities

a. Solid Waste Management

- 1) The City can provide service, providing there is sufficient space for the truck to maneuver to service the addition.

b. Water Availability

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 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. Plat may be revised after review and approval of utility plans.
10. Each unit must have a separate water meter and connection to the main.

c. Wastewater Availability

1. An existing 6-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.
8. Each unit must have a separate wastewater connection to the main.
9. Private Easement Agreement will be required for service for Building 1.

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.

Location:

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

Density: The Urban Medium Intensity 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 for residential development with a modified R-3 base, specifically to allow two duplexes. The conceptual plan for the development indicates one duplex along NE 7th Street with a driveway wrapping around the building for shared parking with another duplex at the rear of the property. Four dwelling units on the 0.16-acre site would be a density of 25 du/acre.

Automobile Connectivity:

- Maintain and enhance the connectivity of the street network.
- Keep alleys open and functional.

The subject site is currently served by one driveway along NE 7th Street. The SPUD proposes retaining access from NE 7th Street and allowing access from the platted alley to the south. The conceptual plan for the development indicates one duplex along NE 7th Street with a driveway wrapping around the building for shared parking with another duplex at the rear of the property.

Pedestrian Connectivity:

- Provide sidewalk connections to nearby uses.

Sidewalks are currently available on the subject site. The SPUD proposes utilizing the base R-3 District regulations for any changes to pedestrian connectivity.

- 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 residential uses or zoning, “Building Scale and Site Design” is a potential compatibility issue identified by the comprehensive plan. Projects in higher intensity LUTAs (UM) may be more appropriate for significant transitions of density, scale and mass.

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 retains the 5-foot interior side yard (east and west) setbacks, and requests 5-foot setbacks on the front (north) and rear (south) where the base R-3 and adjacent R-2 District require 25 and 10 respectively. The proposed 5-foot front setback has been changed from zero since originally submitted so that the front setback along NE 7th Street will align with the multifamily buildings to the east. The SPUD proposes utilizing the base R-3 District regulations for maximum building height and building size.*

3) Service Efficiency:

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

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. Low impact development techniques include, but are not limited to, using pervious surface materials wherever possible for the construction of driveways, parking areas, sidewalks, patios, etc., to promote increased water percolation and infiltration.

5) Transportation System: This site is located along the south side of NE 7th Street, a Minor Connector Street in the Urban Low LUTA. The nearest transit (bus) service is located south of the site along NE 4th Street.

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)
- 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)
- 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 south side of NE 7th Street, east of North Kelley Avenue. The site is currently zoned R-2 and developed with a single-family residence. Land to the north and abutting to the west are zoned R-2 and developed with single-family residences. Adjacent to the east are apartments zoned SPUD-977, which is part of the Page Woodson mixed-use development. South of the site is a single-family residence zoned C-3.

The SPUD is requested for residential development with a modified R-3 base, specifically to allow two duplexes. The conceptual plan for the development indicates one duplex along NE 7th Street with a driveway wrapping around the building for shared parking with another duplex at the rear of the property. The SPUD allows access to the adjacent platted alley to the south but does not illustrate a connection.

In 2019, the Planning Commission adopted the Innovation District Land Use Plan as an amendment to the comprehensive plan, designating the subject site “General Urban.” General Urban areas should be made up primarily of horizontally mixed residential and commercial uses in a variety of building forms and have a density ranging from 2 to 4 stories.

The proposal to increase density in the Urban Medium LUTA is in conformance with UM density ranges and comprehensive plan goals to provide a mixture of residential housing types and infill development within UM areas. The Master Design Statement has been modified since first submitted to adjust the setback along NE 7th Street from 0 to 5 feet to align with the multifamily buildings to the east.

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. If used for access, the alley shall be improved in accordance with the applicable City of Oklahoma City Standards and Specifications.

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

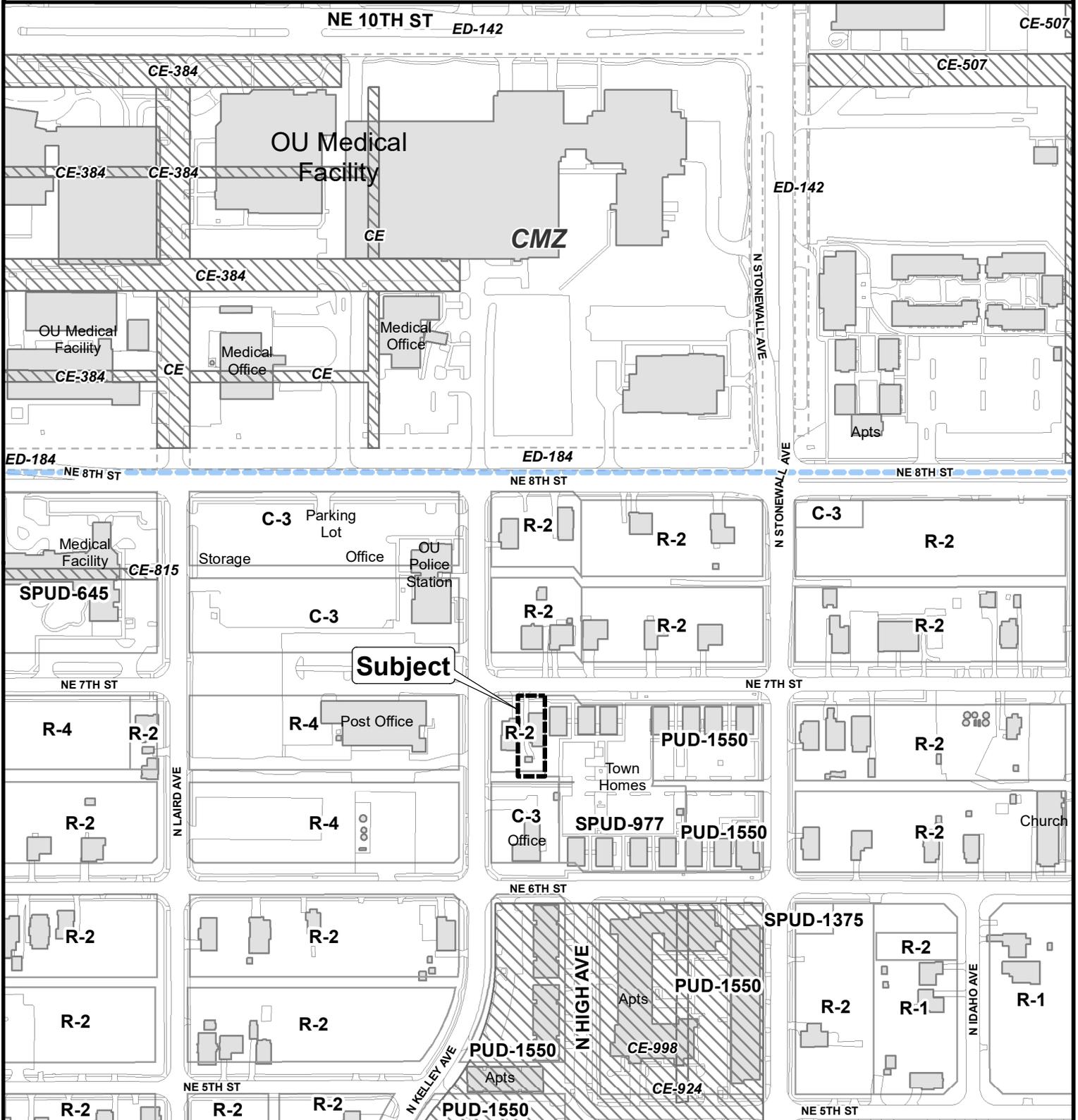
taj

Case No: SPUD-1727

Applicant: D & I Properties, LLC

Existing Zoning: R-2

Location: 1004 NE 7th St.



Note: "Subject" is located approximately 2,297' East of N. Lincoln Blvd.

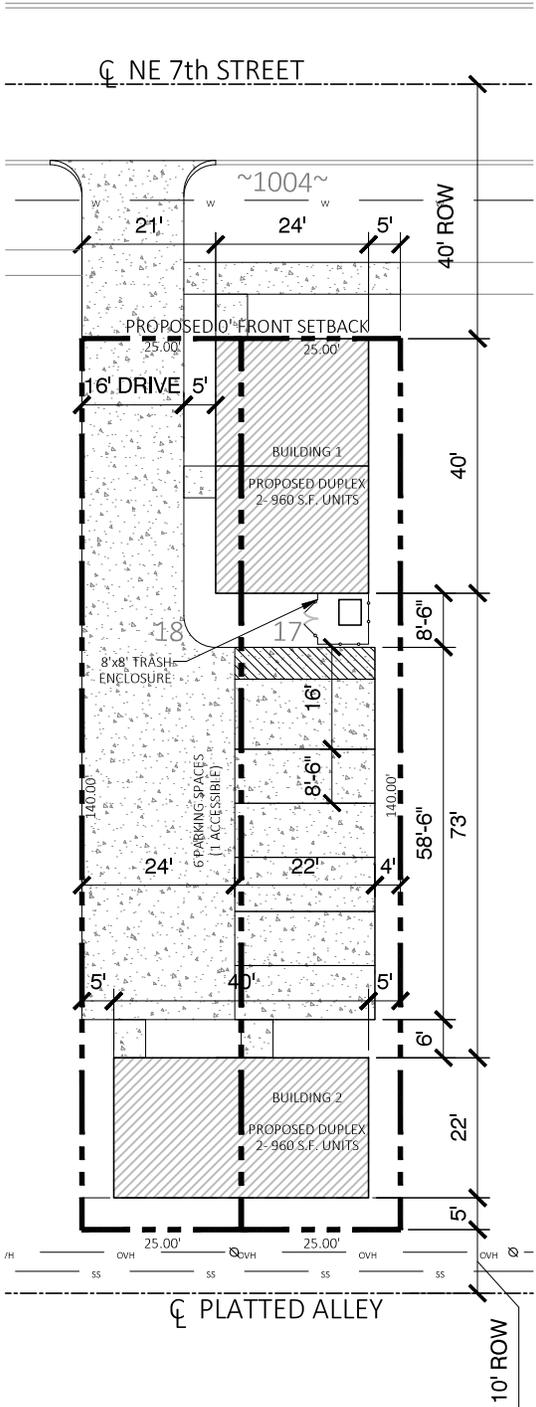


The City of OKLAHOMA CITY

Simplified Planned Unit Development



0 125 250 Feet



1 EXISTING SITE PLAN
A-1 1" = 30'-0"



 <p>733 NW 22nd Street OKC, OK 73103 405.655.8077 www.jollybird.design</p>	PROJECT 1004 NE 7th Street OKC, OK 73117		SHEET NO. 1
	DATE 3/12/2025	CA# SPUD-1727	
	DRAWN BY FRB	TITLE Prelim. Site Plan	

Case No: SPUD-1727

Applicant: D & I Properties, LLC

Existing Zoning: R-2

Location: 1004 NE 7th St.



Aerial Photo from 2/2022

Note: "Subject" is located approximately 2,297' East of N. Lincoln Blvd.



The City of
OKLAHOMA CITY

Simplified Planned Unit Development



0 125 250
Feet