ANY PERSON REQUIRING SPECIAL ASSISTANCE OR OTHER REASONABLE ACCOMMODATION TO ATTEND
AND OR FULLY PARTICIPATE IN ANY MEETING MUST CONTACT LORA GWARTNEY VIA EMAIL AT
LGWARTNEY@MIDWESTCITYOK.ORG OR PHONE AT 739-1220 AT LEAST TWENTY-FOUR (24) HOURS IN
ADVANCE OF THE MEETING. DURING A PUBLIC MEETING, CALL 739-1388 FOR ASSISTANCE.

AGENDA FOR THE REGULAR MEETING OF THE
MIDWEST CITY
PLANNING COMMISSION
June 4, 2019 – 7:00 p.m.
City Council Chambers
City Hall
100 North Midwest Boulevard

A. CALL TO ORDER
B. MINUTES
  1. Discussion and consideration of approving the Minutes of the regular meeting May 7,
     2019.
C. NEW MATTERS
  1. (PC-1995) Public hearing with discussion and consideration of an ordinance to redistrict
     from R-6, Single Family Detached Residential to O-2, General Office, for the property
     described as a part of Lot 1 of Block 2 of the Friendly Acres Addition, addressed as 1126
     E. Reno Ave.
  2. (PC-1997) Public hearing with discussion and consideration of an ordinance to redistrict
     from C-1, Restricted Commercial to C-3, Community Commercial, for the property
     described as a part of the SE/4 of Section 1, T11N, R2W, addressed as 9925 SE 15th Street.
  3. (PC-1998) Discussion and consideration of the proposed preliminary plat of The Eulene,
     described as a part of the SW/4 of Section 36, T12N, R2W, addressed as 329 King Avenue.
  4. (PC-1999) Public hearing with discussion and consideration of approval of a resolution for
     a Special Use Permit to allow the use of Eating Establishment: Sit-Down, Alcoholic
     Beverages Permitted, in the C-3 Community Commercial district, for the property
     described as a part of the SE/4 of Section 4, T11N, R2W, located at 6805 SE 15th Street.
  5. (PC-2000) Discussion and consideration of approval of the proposed preliminary plat of
     Pieper Addition, described as a part of the SW/4 of Section 8, T11N, R1W, addressed as
     2750 Hand Road.
  6. (PC-2001) Discussion and consideration of approval of the Final Plat of Oakes Crossing,
     described as a part of the SW/4 of Section 31, T12N, R1W, addressed as 10225 E. Reno
     Avenue.

D. COMMISSION DISCUSSION
E. PUBLIC DISCUSSION
F. FURTHER INFORMATION
G. ADJOURN
Notice of regular Midwest City Planning Commission meetings in 2019 was filed for the calendar year with the Midwest City Clerk prior to December 15, 2018 and copies of the agenda for this meeting were posted at City Hall at least 24 hours in advance of the meeting.

MINUTES OF MIDWEST CITY PLANNING COMMISSION MEETING

May 7, 2019 - 7:00 p.m.

This regular meeting of the Midwest City Planning Commission was held in the Council Chambers, 100 North Midwest Boulevard, Midwest City, Oklahoma County, Oklahoma, on May 7, 2019 at 7:00 p.m., with the following members present:

Commissioners present:  Stan Greil - Chairman
                         Russell Smith
                         Dee Collins
                         Jess Huskey
                         Dean Hinton
                         Jim Campbell
                         Jim Smith

Staff present:          Billy Harless, Community Development Director
                         Kellie Gilles, Planning Manager
                         Patrick Menefee, City Engineer
                         Lora Gwartney, Associate Current Planner

The meeting was called to order by Chairman Greil at 7:00 p.m.

A. CALL TO ORDER
B. MINUTES

1. Motion was made by Huskey, seconded by Campbell, to approve the minutes of the April 2, 2019 Planning Commission meeting as presented. Voting aye: Hinton Campbell, R. Smith, J. Smith and Huskey. Nay: none. Absent: Collins. Motion carried.

* Collins arrived at 7:04, just after item B1 was approved.

C. NEW MATTERS:

1. A resolution recognizing Guy Henson, City Manager, who is retiring after 40 years of employment with the City of Midwest City.

Chairman Greil presented a resolution to Mr. Henson. There was general discussion. A motion was made by R. Smith, seconded by Hinton to recommend approval of this resolution. Voting aye: Collins, Huskey, Campbell, R. Smith, J. Smith, Hinton and Greil. Voting nay: none. Motion carried.
2  **(PC-1992) Discussion and consideration of approval of the proposed**
*preliminary plat of Roller Lot, described as a part of the NW/4 of Section 36,*
*T12N, R2W, addressed as 9401 E. Cardinal Place.*

Staff presented a brief overview of this item. The applicant, Glenn Blumstein of 627 Couch Drive,
was present. There was general discussion about this item. A motion was made by Collins,
seconded by Hinton, to recommend approval of this item subject to staff comments. Voting aye:

3  **(PC-1993) Public hearing with discussion and consideration of an ordinance**
*to redistrict from C-3, Community Commercial to SPUD, Simplified Planned Unit Development,*
*governed by the C-4, General Commercial district, and a resolution to amend the Comprehensive Plan from OR, Office Retail to COMM, Commercial,*
*for the property addressed as 5712 E. Reno Ave.*

Staff presented a brief overview of this item. The applicant, Omar Khatib of 5336 Cobble St.,
OKC, was present. There was general discussion about this item. A motion was made by Huskey,
seconded by Campbell to recommend approval of this item subject to staff comments. Voting aye:

4  **(PC-1994) Discussion and consideration of approval of the proposed**
*preliminary plat of Tuscany Ridge Section II, described as a part of the* *
*NW/4 of Section 9, T11N, R1W, of the Indian Meridian, Midwest City, OK.*

Staff presented a brief overview of this item. The applicant, Corey Christensen of 10275 Jaycie Cir.,
was present. There was general discussion about this item. A motion was made by Huskey,
seconded by Campbell to recommend approval of this item and the requested waivers subject to
none. Motion carried.

5  **(PC-1995) Public hearing with discussion and consideration of an ordinance**
*to redistrict from R-6, Single Family Detached Residential to O-2, General Office,*
*for the property described as a part of Lot 1 of Block 2 of the* *
*Friendly Acres Addition, addressed as 11126 E. Reno Ave.*

Staff presented a brief overview of this item. The applicant, Bubba Ingram of 300 Skyline,
Brentwood, TN and the prospective property owner, TJ Carl – Physicians Choice Dialysis, 211
Commerce St, Pottstown, PA, were present. There was general discussion about this item. Arnold
Nelson – the owner of property immediately south of the area of request was present. Mr. Nelson
stated that drainage has been an issue in and around his property for years. Staff has made efforts
to alleviate the issues but they are still present. Mr. Nelson wanted to ensure that this development
would not have an adverse impact on his property and that construction debris would not impact his property. The City Engineer explained that code enforcement and the building inspectors would ensure that any construction debris would be the responsibility of the construction company. The City Engineer acknowledged drainage issues on the area and staff’s efforts to address them. He also explained that half street improvements, including curb and gutter, landscaping and on-site detention would be required. Staff has attempted unsuccessfully to work with the property owner to the east of the area of request to make drainage improvements that would help Mr. Nelson’s issues. The Community Development Director was unaware of the drainage concerns and recommended tabling the item for one month to allow the applicant to provide additional information regarding detention for the area of request. The applicant stated that the post-development runoff will be less than pre-development runoff. There was discussion about whether a drainage could be addressed as part of a rezoning application. The applicant stated that they are supposed to close on the property on June 15. A motion was made by R. Smith to table the item to a Special Planning Commission meeting prior to the May 28 City Council meeting. There was no second. The motion failed. Commissioner Huskey asked if the item was tabled to the June 4, 2019 Planning Commission meeting, could it be heard by the Council on June 11, 2019, prior to the closing date? The Community Development Director stated that the item will go to the Council on May 28, 2019 as advertised, however, it can be recommended to table to the June 11, 2019 Council meeting in order for the Planning Commission to re hear the item. A motion was made by R. Smith, seconded by Huskey, to recommend that this item be tabled to the June 4, 2019 Planning Commission meeting and June 11, 2019 City Council meeting. Voting aye: Hinton, Campbell, R. Smith, Collins, J. Smith, Greil and Huskey. Nay: none. Motion carried.

6 Discussion of process for developing staff reports.
Staff presented a brief overview of this item. There was general discussion. No vote was necessary.

D. COMMISSION DISCUSSION: There was general discussion among the Commission and staff.

D. PUBLIC DISCUSSION: None.

E. FURTHER INFORMATION: None.

There being no further matters before the Commission, motion to adjourn was made by R. Smith seconded by Huskey. Voting aye: Hinton, Campbell, R. Smith, Collins, J. Smith, Greil and Huskey. Nay: none. Motion carried.

The meeting adjourned at 8:47 p.m.

Stan Greil, Chairman
(KG)
To: Chairman and Planning Commission

From: Billy Harless, Community Development Director

Date: June 4, 2019

Subject: (PC-1995) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Detached Residential to O-2, General Office, for the property described as a part of Lot 1 of Block 2 of the Friendly Acres Addition, addressed as 11126 E. Reno Avenue.

Executive Summary: This is a request to rezone the property from R-6, Single Family Detached Residential to the O-2 General Office District. The proposed use is a dialysis center. No variances are requested with this application. No public improvements are required with this application, however, half street improvements along Friendly Drive and sidewalk improvements along E. Reno Ave. and Friendly Drive will be requirements of the building permit. This item was tabled at the May 7 Planning Commission due to concerns regarding drainage from an abutting property owner. The applicant has provided additional information regarding the design of the two detention pond. After review of the additional information, the City Engineer has found that the development will not impact the street crossings for the adjacent property owner. The City Engineer's memo is included in this report. Staff recommends approval.

Dates of Hearing: Planning Commission – May 7, 2019, June 4, 2019
City Council – May 28, 2019, June 11, 2019

Owner: J Lou Properties

Applicant: Bubba Ingram, Ingram Civil Engineering

Proposed Use: Physicians Choice Dialysis
Size:
The area of request has a frontage of approximately 200’ along E. Reno Ave. and a depth of approximately 260’ along Friendly Drive, containing an area of approximately 52,000 square feet or 1.19 acres, more or less.

Development Proposed by Comprehensive Plan:
Area of Request – Office Retail (OR)
North, South, and West – Office Retail (OR)
East – Low Density Residential (LDR)

Zoning Districts:
Area of Request – R-6, Single Family Detached Residential
South and East – R-6, Single Family Detached Residential
North – R-6, Single Family Detached Residential and C-3, Community Commercial
West – R-6, Single Family Detached Residential and C-3, Community Commercial

Land Use:
Area of Request – Vacant
North and South – Single family residences
East – Vacant
West – Vacant and one single family residence

Municipal Code Citation:
2.17. O-2, General Office
2.21.1 General Description
This commercial district is intended to provide a location for offices at a higher density than that allowed in the restricted office district.

This district places an emphasis on building location and design in conjunction with landscaping.

This district should be located and designed so that it can be used as a buffer between residential areas and more intense land use activities.

History:
1. (PC-296) A Special Use Permit was granted for this property in 1976 to allow a greenhouse. The underlying zoning at that time was R-1, Single Family Residential.
2. The greenhouse is no longer on the property and as such, the Special Use Permit no longer applies.
3. The property was designated as R-6, Single Family Detached Residential with the adoption of the 2010 Zoning Map.
4. May 7, 2019 - The Planning Commission tabled this item to the June 4, 2019 Planning Commission meeting.
5. May 28, 2019 – The City Council tabled this item to the June 11, 2019 City Council meeting.
Staff Comments:

Engineer’s report:

Water Supply and Distribution
A twelve (12) inch public water main is located on the south side of Reno Avenue in the street right-of-way extending along the north side of the area of request. A six (6) inch public water main is located on the west side of Friendly Drive in the street right-of-way extending along the east side of the area of request. Public water mains extend along the full frontage of this property, therefore water line improvements are not required as outlined in Municipal Code 43-32.

This is a rezoning application and during this phase of the development process, setting meters and installing service connections is not required. If this application is approved, connecting to the public water system for service is a building permit requirement and will be done at that time.

Sanitary Sewerage Collection and Disposal
An eight (8) inch public sewer main is located on the west side of Friendly Drive in the street right-of-way extending along the east side of the area of request. A public sewer main is available to connect to providing service to this property, therefore sewer line improvements are not required as outlined in Municipal Code 43-109.

This is a rezoning application and during this phase of the development process, installing service connections is not required. If this application is approved, connecting to the public sanitary sewer system for service is a building permit requirement and will be done at that time.

Streets and Sidewalks
Access to the area of request is available from Reno Avenue and Friendly Drive. Reno Avenue is classified as a secondary arterial in the 2008 Comprehensive Plan. Reno Avenue is a five (5) lane, 65-foot wide, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of one hundred (100) feet for a primary arterial and presently, Reno Avenue has one hundred (100) feet of right-of-way adjacent to and parallel to the north side of the area of request. Friendly Drive is classified as a local street in the 2008 Comprehensive Plan. Friendly Drive is a two (2) lane, 22-foot wide, uncurbed, asphalt concrete roadway. Current code requires a total street right-of-way width of fifty (50) feet for local roads and presently, Friendly Drive has fifty (50) feet of right-of-way adjacent to the east side of the area of request.

Right of way grants are not required with this application.

Friendly Drive does not meet current code requirements for a local street. This is a rezoning application and during this phase of the development process, constructing half street improvements or installing sidewalk is not required at this time.

As outlined in Municipal Code 37-65, at the time of building permit, half street improvements to Friendly Drive will be required for the full frontage of the area of request. Sidewalk improvements along Reno Avenue and Friendly Drive will also be required with a building permit submittal as outlined in Municipal Code 37-67.
Improvement plans for the street and sidewalks must be prepared by a registered professional engineer and be submitted to staff for plan review and approval.

**Drainage and Flood Control, Wetlands, and Sediment Control**

Drainage across the area of request is via overland flow from the west to the east. Currently, the area of request is undeveloped. None of the area of request is affected by flood zone AE (the 100-year floodplain) as shown on the effective Flood Insurance Rate map (FIRM) number 40109C0330H, dated December 12, 2009.

Drainage and detention improvements are not required with this rezoning application. However, as outlined in Municipal Code 13-69, a drainage study and detention pond design will be required with any building permit submittal.

Improvement plans for the drainage and detention pond must be prepared by a registered professional engineer and be submitted to staff for plan review and approval.

All development on the proposed tracts must conform with the applicable requirements of Municipal Code Chapter 13, “Drainage and Flood Control.”

**Easements and Right-of-Way**

No additional rights-of-way and/or easements are required with this application.

**Fire Marshal’s report:**

The Fire Marshall has reviewed this rezoning request. All provisions of Chapter 15 of the Municipal Code must be met with the application of a building permit.

A fire hydrant is required to be located a maximum of 400 feet from the facility. If no hydrant is available, a hydrant is required to be installed.

**Plan Review Comments:**

The applicant is proposing one (1) single story office building. The proposed use is a dialysis center.

The following requirements of the Zoning Ordinance must be met:

- The building must be constructed of 80% masonry materials. The City does not accept EIFS as a masonry product.
- Parking of 1 space per 250 sq. ft. GLA for the first 12,000 sq. ft. of GLA. From 12,001 sq. ft. – 48,000 sq. ft. GLA = 1 space per 300 sq. ft. of GLA.
- Minimum aisle width of 26’.
- Minimum parking space size of 9’x18’6”.
- Front setback of 25’ from the right-of-way on E. Reno.
- East side setback of 15’ from the right-of-way on Friendly Drive.
- West side setback of 5’
Base landscaping of six (6) trees and twelve (12) shrubs plus two (2) trees and two (2) shrubs for every ten (10) parking spaces installed. Landscaping must be in place prior to issuance of a Certificate of Occupancy.

- Maximum lot coverage of 90%
- Signage must meet the requirements of the Sign Ordinance
- Dumpster must be enclosed on three (3) sides by a minimum of 8’ tall masonry walls.

The site plan includes the parcel abutting the area of request to the west. This parcel is currently zoned C-3, Community Commercial. A medical office is an allowed use in the C-3 district. The applicant has stated that this parcel is also being purchased, however, at this time, no development is proposed on this lot. If future development does occur on this lot, it must meet all requirements of the C-3, Community Commercial zoning district.

The applicant is also requesting an access point into the site from Friendly Drive.

Staff sent notices out to all property owners within 300 feet of the area of request. As of this writing, staff has received no calls or letters of protest.

This proposal is consistent with the Comprehensive Plan as the Future Land Use Map shows this parcel as OR, Office Retail.

Staff recommends approval of this request.

**Action Required:**
Approve or reject the ordinance to redistrict to O-2, General Office for the properties as noted herein, subject to staff’s comments as found in the June 4, 2019 agenda packet and made a part of PC-1995 file.

Billy Harless,
Community Development Director

KG
TO: Planning Commission
FROM: Patrick Menefee, P.E., City Engineer
DATE: June 4th, 2019
RE: PC-1995, rezoning of 11126 East Reno Avenue

The Planning Commission had an application for the PC-1995 case presented to them at the May 7th, 2019 meeting for review and approval. The case involved the rezoning of a property located at the southwest corner of Friendly Drive and Reno Avenue. The property currently sits undeveloped and drains into the west side bar ditch of Friendly Drive. A resident who lives at 204 South Friendly Drive attended the meeting and inquired about what impact the development would have on the current drainage crossing under Friendly Drive located north of the resident’s property, south of the area of request. The design engineer and developer were in attendance and assured the commission that the design would follow code and would not increase runoff to the road crossing. However, they did not have the specifics of the design to present to the commission at that time.

After some discussion, it was decided to delay the vote on the applicant’s rezoning application until after a review of the detention pond and its impact to the surrounding areas could be assessed by the City staff. Tabling the item gave the applicant time to design and submit to staff the attached plan sheets showing the pre development conditions, post development conditions, the location of the two proposed detention ponds, and their outfalls from the site.

The consultant also provided the following summary:

The predevelopment stormwater at the site of the proposed Physicians Choice Dialysis Clinic flowed from the northwest side of the site to the southeast side of the site. The water would then flow south down Friendly Drive. The pre-development onsite maximum runoff for the 100-year storm is 9.59 cfs.

The post development stormwater drains to 3 separate locations. The first two locations are catch basins that will be picked up by the city and piped across Friendly Drive. These catch basins have a 100-year maximum flow of 2.92 cfs and 6.22 cfs. The third post-development drainage output will remain running down Friendly Drive at a 100-year maximum flow of 0.12 cfs.

In summary, the flow draining south on Friendly Drive will be decreased from 9.59 cfs to 0.12 cfs post-development. Please reference plan sheets C400 and C401 and C402 for more information.
The City Engineer has reviewed the design and the summary. The water that currently flows south and utilizes the west to east street crossing under Friendly Drive is almost completely captured, diverted, and will be routed through the two underground detention facilities on site. The design then takes the water to the east side of Friendly Drive so the water released from the detention ponds doesn’t use the crossing in question. The outflow will tie to a new storm drainage pipe the city is installing that will convey the water over towards the Reno Avenue street crossing of Choctaw Creek. Staff has met with the property owner on the east side of Friendly Drive and he has been cooperative with staff providing right of way and drainage easement to help with drainage downstream of the project.

Staff has sent a summary letter to 204 Friendly Drive to let the owner know that the proposed medical office will not impact the street crossing and his property. The total amount of water utilizing the crossing will be reduced.

Patrick Menefee, P.E.
City Engineer

Attachments
PHYSICIANS CHOICE DIALYSIS of MIDWEST CITY
HALF ROADWAY IMPROVEMENT PROJECT

INDEX OF SHEETS

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COMMUNITY DEVELOPMENT DEPT.
ENGINEERING DIVISION
PC-1995

ORDINANCE NO. ____________

AN ORDINANCE RECLASSIFYING THE ZONING DISTRICT OF THE PROPERTY DESCRIBED IN THIS ORDINANCE TO O-2, GENERAL OFFICE, AND DIRECTING AMENDMENT OF THE OFFICIAL ZONING DISTRICT MAP TO REFLECT THE RECLASSIFICATION OF THE PROPERTY'S ZONING DISTRICT; AND PROVIDING FOR REPEALER AND SEVERABILITY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:

ORDINANCE

SECTION 1. That the zoning district of the following described property is hereby reclassified to O-2 General Office, subject to the conditions contained in the PC-1995 file, and that the official Zoning District Map shall be amended to reflect the reclassification of the property’s zoning district as specified in this ordinance:

All of Lot One (1) and the North 200 feet of Lot Two (2) in Block Two (2) of FRIENDLY ACRES ADDITION, Being a subdivision of Government Lot 4 and the SW/4 of the NW/4 of Section Five (5), Township Eleven (11) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, according to the recorded plat thereof.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the ______ day of ____________________ , 2019.

THE CITY OF MIDWEST CITY, OKLAHOMA

MATTHEW D. DUKES II, Mayor
ATTEST:

SARA HANCOCK, City Clerk

APPROVED as to form and legality this ______ day of ____________, 2019.

HEATHER POOF, City Attorney
To: Chairman and Planning Commission

From: Billy Harless, Community Development Director

Date: June 4, 2019

Subject: (PC-1997) Public hearing with discussion and consideration of an ordinance to redistrict from C-1, Restricted Commercial to C-3, Community Commercial, for the property described as a part the SE/4 of Section 1, T11N, R2W, addressed as 9925 SE 15th Street.

Executive Summary: This is a request to rezone the property from C-1, Restricted Commercial to C-3, Community Commercial. The area of request is the site of an existing 7-Eleven store. The applicant submitted a building permit to expand the existing store and to add a new tenant space. Upon review of the building permit, staff recognized that the property is zoned C-1, Restricted Commercial. This zoning district requires a Special Use Permit for the use of gasoline sales. The existing use is considered legal non-conforming and may remain as is, however, the code states that if the non-conforming use expands, it must come into zoning conformance. The applicant is requesting to rezone this property to C-3 in order to come into conformance for the existing use and to allow C-3 uses in the new tenant space. No variances are requested and no public improvements are required with this application. If this request is approved, the building permit can be issued for the proposed building expansion. Staff recommends approval.

Dates of Hearing: Planning Commission – June 4, 2019
City Council – June 25, 2019

Owner: Bill Turney

Applicant: Chong Branson, 7-Eleven Stores

Proposed Use: Expansion of existing 7-Eleven and new tenant space

Size:
The area of request has a frontage of approximately 166’ along SE 15th Street and a depth of approximately 278’ along S. Post Road containing an area of approximately 46,621 square feet, more or less.
Development Proposed by Comprehensive Plan:
Area of Request – Office Retail (OR)
North, South, East and West – Office Retail (OR)

Zoning Districts:
Area of Request – C-1, Restricted Commercial
North and West – C-1, Restricted Commercial
South – C-3, Community Commercial
East – PUD, Planned Unit Development

Land Use:
Area of Request – Existing 7-Eleven
North – daycare
South - Walgreens
East – Marco’s Pizza/Liquor Store
West – Access Medical

Municipal Code Citation:
2.20 Community Commercial
2.20.1. General Description
This commercial district is intended for the conduct of business activity which is located at the edge of residential areas but which serves a larger trade area than the immediately surrounding residential neighborhoods.

Business uses will most often be found in a wide variety of commercial structures, normally on individual sites with separate ingress, egress, and parking. Because of the varied uses permitted, it is important to be separated as much as possible visually and physically from any nearby residential areas and to limit the harmful effects of increased traffic, noise, and general nonresidential activity which will be generated.

Traffic generated by the uses permitted shall be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.

History:
1. The property was designated as C-1, Restricted Commercial, at the time of adoption of the 1985 Zoning Map.
2. The property remained designated as C-1, Restricted Commercial at the time of adoption of the 2010 Zoning Map.
3. The building permit for the original building was issued in 2001.

Staff Comments:
Engineer’s report:
Water Supply and Distribution
An eighteen (18) inch public water main is located on the north side of S.E. 15th Street in the street right-of-way extending along the south side of the area of request. A thirty-six (36) inch public water main is located on the east side of Post Road in the street right-of-way extending along the east side of the area of request. Public water mains extend along the full frontage of this property, therefore water line improvements are not required as outlined in Municipal Code 43-32.
Sanitary Sewerage Collection and Disposal
An eight (8) inch public sewer main is located on the east side of Post Road in the street right-of-way extending along the east side of the area of request. A public sewer main is currently providing service to this property, therefore sewer line improvements are not required as outlined in Municipal Code 43-109.

Streets and Sidewalks
Access to the area of request is available from S.E. 15th Street and Post Road. S.E. 15th Street is classified as a secondary arterial in the 2008 Comprehensive Plan. S.E. 15th Street is a five (5) lane, 65-foot wide, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of one hundred (100) feet for a secondary arterial and presently, S.E. 15th Street has one hundred (100) feet of right-of-way adjacent to and parallel to the south side of the area of request. Post Road is classified as a secondary arterial in the 2008 Comprehensive Plan. Post Road is a five (5) lane, 65-foot wide, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of one hundred (100) feet for a secondary arterial and presently, Post Road has one hundred (100) feet of right-of-way adjacent to and parallel to the east side of the area of request.

Right of way grants are not required with this application.

There are existing sidewalk improvements along Post Road, but not along the frontage of S.E. 15th Street. Sidewalk improvements along S.E. 15th Street will be required with a building permit submittal as outlined in Municipal Code 37-67.

Drainage and Flood Control, Wetlands, and Sediment Control
An underground drainage system and detention using private storm pipes and private inlets currently service the area of request and the existing store. An expansion of the store’s footprint or the parking lot will require an expansion of the private drainage system and detention to account for the additional impervious area.

Improvement plans for the drainage system expansion must be prepared by a registered professional engineer and be submitted to staff for plan review and approval.

None of the area of request is affected by flood zone AE (the 100-year floodplain) as shown on the effective Flood Insurance Rate map (FIRM) number 40109C0330H, dated December 12, 2009.

All development on the proposed tracts must conform with the applicable requirements of Municipal Code Chapter 13, “Drainage and Flood Control.”

Easements and Right-of-Way
No additional rights-of-way and/or easements are required with this application.

Fire Marshal’s report:
The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.
Plan Review Comments:
In early April, staff received a building permit application to expand the existing 7-Eleven store at 9925 SE 15th as well as add a new tenant space. Upon review of the plans, staff noticed that the parcel is zoned C-1, Restricted Commercial. The use of gasoline sales: restricted is only allowed in the C-1 district by Special Use Permit. Staff did not find any record of a previously approved Special Use Permit. Given this information, the use of a gas station is considered legal non-conforming according to the Midwest City Zoning Ordinance. Section 5.8.4 (C) of the Zoning Ordinances states, “Expansion of a nonconforming use – No nonconforming use, except when required by law, shall be enlarged, extended, or reconstructed, unless such change is to a use permitted in the district.” As the building permit is for an expansion of the building and addition of new gas pumps, the property must be zoned appropriately prior to issuance of the building permit.

The applicant met with staff to discuss the options of either applying for a Special Use Permit to allow the gas station or rezoning the parcel to C-3, Community Commercial. At the time, the applicant was unsure of the future use for the tenant space. As that was unknown and much of the surrounding uses are applicable in the C-3 district, the applicant decided to apply to rezone the parcel to C-3, Community Commercial. If approved, this will allow for the expansion of the existing store. The future use of the tenant space must be an approved C-3 use.

The area where the applicant plans to build the expansion is currently grass and dirt. Customers occasionally park in this area. The expansion will be a good use of the existing vacant space.

No variances are requested with this application. Notices were sent to all property owners within 300 feet of the area of request. As of this writing, no protests have been received.

Staff recommends approval of this request.

Action Required:
Approve or reject the ordinance to redistrict to C-3, Community Commercial for the property as noted herein, subject to staff’s comments as found in the June 4, 2019 agenda packet and made a part of PC-1997 file.

Billy Harless
Community Development Director

KG
To: Chairman and Planning Commission

From: Billy Harless, Community Development Director

Date: June 4, 2019

Subject: (PC – 1998) Discussion and consideration of approval of the proposed preliminary plat of The Eulene, described as a part of the SW/4 of Section 36, T12N, R2W, addressed as 329 King Avenue.

Executive Summary: This item is a request to subdivide a single parcel into two (2) individual parcels for single family development. The proposed lots have frontage on King Avenue and are each over two (2) acres in size which well exceeds the minimum lot size in the R-6, Single Family Residential zoning district. The applicant is requesting a waiver to the requirement for half street and sidewalk. A water extension is required with this application. If this preliminary plat is approved, plans for the water extension must be submitted to the City Engineer and the water line must be installed and approved prior to application for a final plat. Staff recommends approval of the The Eulene Preliminary Plat.

Dates of Hearing:
Planning Commission – June 4, 2019
City Council – June 25, 2019

Council Ward: Ward 3, Española Bowen

Owner/Applicant: Stacy Deen

Surveyor: Curtis Hale

Proposed Use: Two (2) single family residential lots

Size:
The area of request has a frontage along King Avenue of approximately 310 ft. and a depth of approximately 640 ft., containing an area of approximately 4.55 acres.
Zoning Districts:
Area of Request – R-6, Single Family Detached Residential
North, South, East and West – R-6, Single Family Detached Residential

Land Use:
Area of Request – vacant
North, South, East and West – single family residences

Municipal Code Citation:
2.7.1. R-6, Single-Family Detached Residential District
The R-6, Single-Family Detached Residential District is intended for single-family residences on lots of not less than 6,000 square feet in size. This district is estimated to yield a maximum density of 5.1 gross dwelling units per acre (DUA). Additional uses for the district shall include churches, schools and public parks in logical neighborhood units.

38-18.1. Purpose
The purpose of a Preliminary Plat shall be to determine the general layout of the subdivision, the adequacy of public facilities needed to serve the intended development, and the overall compliance of the land division with applicable requirements of the Subdivision Ordinance.

History:
1. This area has been zoned single-family residential since the adoption of the 1985 zoning code and has never been platted.

Engineer’s Comments:
Water Supply and Distribution
A six (6) inch public water main is located on the east side of King Avenue and extends up to the south east corner of the area of request. Public water does not extend across the frontage of the proposed preliminary plat.

The applicant proposes to construct a public water line extension north along the east side of the King Avenue to provide service and fire protection to the new lots.

Improvement plans for the water line extension must be prepared by a registered professional engineer and be submitted to staff for plan review and approval.

Extension of the water supply to serve this property and connection to the public water supply system for domestic service is required as outlined in Municipal Code 43-32.

Sanitary Sewer Collection and Disposal

An eight (8) inch public sewer main is located on the west side of King Avenue in the street right-of-way extending along the east side of the area of request. Eight (8) inch public sewer mains are also located in public utility easements along the west side and north side of the area of request. Public sewer mains are currently providing service to this property, therefore sewer line improvements are not required as outlined in Municipal Code 43-109.
Streets and Sidewalks

Access to the area of request is available from King Avenue. King Avenue is classified as a local street in the 2008 Comprehensive Plan. King Avenue is a two (2) lane, 22-foot wide, uncurbed, asphalt concrete roadway with no sidewalk. King Avenue does not meet current code requirements for street and sidewalks. As outlined in Municipal Code 38-59, the applicant has requested a waiver to the street and sidewalk improvements as there is no curbing nor sidewalk on King Avenue or in the adjacent area.

Current code requires a total half street right-of-way width of twenty-five (25) feet for local roads and presently, King Avenue has twenty (20) feet of right-of-way adjacent to the east side of the area of request.

A five foot right of way grant is required and will be dedicated on the final plat.

Drainage and Flood Control and Sediment Control

Drainage across the area of request is from the west to the east via overland flow to the bar ditch along King Avenue. Currently, the area of request is developed with a single family residence on a large acreage. The applicant proposes to continue to use the existing bar ditch to drain the property.

The area of request is not affected by flood zone AE (the 100-year floodplain) as shown on the effective Flood Insurance Rate Map (FIRM) number 40109C0330H, dated December 12, 2009.

All future development on the proposed tracts must conform to the applicable requirements of Municipal Code Chapter 13, "Drainage and Flood Control."

Resolution 84-20 requires that developers install and maintain sediment and/or erosion controls in conjunction with their construction activities. Any proposed development must conform to the applicable requirements of Municipal Code Chapter 43, "Erosion Control." Sediment control plans must be submitted to and approved by the city before any land disturbance is done on-site. The developer is responsible for the cleanup of sediment and other debris from drainage pipes, ditches, streets and abutting properties as a result of his activities.

Easements and Right-of-Way
The required easements and existing and proposed five foot right of way grant for the area of request will be dedicated to the city when the final plat is filed.

All easements and right of way dedications are to comply with Code Sections 38-41 and 38-44.

Fire Marshal's Comments:
The property is required to meet and maintain the requirements of Midwest City Ordinances, Section 15.
Planning Comments:
The purpose of this preliminary plat is to split the existing 4.55 acre lot into two (2) individual lots for single family residential development. The proposed lots will have frontage along King Avenue. Lot 1 is shown to be approximately 2.33 acres and Lot 2 is shown to be approximately 2.22 acres.

The dedication of parks and open space is not required with this application as the density is not greater than one unit per net acre. The Midwest City Master Trails Plan does not identify planned trails through the area of request. A Tree Canopy Management Plan is not required as the area of request is less than five (5) acres.

Since this preliminary plat meets the subdivision regulations, staff recommends approval of the preliminary plat of The Eulene subject to these comments.

Action Required: Approve or reject the preliminary plat of The Eulene located on the property as noted herein, subject to the staff comments and found in the June 4, 2019 agenda packet and made a part of PC-1998 file.

Billy Harless, AICP
Community Development Director

KG
City of Midwest City
C/O Kellie Gilles
Planning Manager

To Whom It May Concern:

I am submitting this letter to respectfully request a waiver to the ½ street and sidewalk improvement requirement as it pertains to my PLAT application “The Eulene” at 329 North King Ave. I look forward to working with Kellie and everyone at the city, to help me along the way to building the perfect place to retire in the heart of the city I was born.

Thanks for all the help so far and if I need to supply any other information of any kind please feel free to contact me at any time.

Stacy Deen
1439 Emma Drive
Midwest City, OKLA 73130
(405)626-7050
TO: Chairman and Planning Commission

FROM: Billy Harless, Community Development Director

DATE: June 4, 2019

SUBJECT: (PC –1999) Public hearing with discussion and consideration of approval of a resolution for a Special Use Permit to allow the use of Eating Establishment: Sit-Down, Alcoholic Beverages Permitted in the C-3, Community Commercial district, for the property described as a part of the SE/4 of Section 4 T11N, R2W, located at 6805 SE 15th Street.

Executive Summary: The parcel addressed as 6805 SE 15th Street is currently zoned C-3, Community Commercial. A single structure with two (2) separate restaurant spaces is located at the area of request. Jimmy’s Egg occupies one of the restaurant spaces. The other was formerly occupied by City Bites and is now vacant. The applicant is proposing to open Bad Nonna’s, an Italian restaurant in the vacant space. The applicant is proposing to sell alcoholic beverages within the restaurant which is the reason for this Special Use Permit application. A Site Plan was not required with this application as the building is existing. Notice was sent to all property owners within 300 feet of the area of request. Staff has not received any calls or letters of protest regarding this request. As of 2:00 p.m. on May 31, a letter allowing the applicant to represent the property owner in this request has not been received. Staff has asked the applicant for a letter of consent multiple times.

DATES OF HEARINGS:
Planning Commission – June 4, 2019
City Council – June 25, 2019

COUNCIL WARD: Ward 1, Susan Eads

OWNER: LLKH LLC

APPLICANT: Paden Weatherford

PROPOSED USE: Eating Establishment: Sit-Down, Alcoholic Beverages Permitted
DEVELOPMENT PROPOSED BY COMPREHENSIVE PLAN:
Area of Request – OR, Office Retail
North and East – OR, Office Retail
South and West – LDR, Low Density Residential

ZONING DISTRICTS:
Area of Request – C-3, Community Commercial
North and East – C-3, Community Commercial
South – SPUD, Simplified Planned Unit Development
West – R-6, Single Family Detached Residential

LAND USE:
Area of Request – Jimmy’s Egg/Vacant restaurant space
North – Furniture Gallery
South – vacant
East – CVS
West – single family residences

COMPREHENSIVE PLAN CITATION:
Office/Retail Land Use
Retail land uses areas are intended to provide for a variety of retail trade, personal, and
business services and establishments. Retail establishments generally require greater
visibility than do other types of non-residential land uses (e.g., office, commercial).

Office uses include professional offices for lawyers, doctors, realtors, and other
professionals. Office land uses are generally appropriate in all other non-residential areas
of the City. Office development should be compatible with any adjacent residential area.

MUNICIPAL CODE CITATION:
2.20 Community Commercial
2.20.1. General Description
This commercial district is intended for the conduct of business activity which is located
at the edge of residential areas but which serves a larger trade area than the immediately
surrounding residential neighborhoods.

Business uses will most often be found in a wide variety of commercial structures,
normally on individual sites with separate ingress, egress, and parking. Because of the
varied uses permitted, it is important to be separated as much as possible visually and
physically from any nearby residential areas and to limit the harmful effects of increased
traffic, noise, and general nonresidential activity which will be generated.

Traffic generated by the uses permitted shall be primarily passenger vehicles and only
those trucks and commercial vehicles required for stocking and delivery of retail goods.

7.6. Special Use Permit
7.6.1. Special Use Permit
The uses listed under the various districts as special use permits are so classified because
they more intensely dominate the area in which they are located than do other uses
permitted in the district.
(A) Consideration for compatibility
With consideration given to the setting, physical features, compatibility with surrounding land uses, traffic, and aesthetics, certain uses may locate in an area where they will be compatible with existing or planned land uses.

(B) Review and approval
The Planning Commission shall review each case on its own merit, apply the criteria established herein, and recommend either approval or denial of the special use permit to the City Council. Following the Planning Commission’s recommendation, the City Council shall review each case on its own merit, apply the criteria established herein, and, if appropriate, authorize said use by granting a special use permit.

(C) Use identified by individual zoning district
If a special use permit is granted it shall be for all the uses permitted in the specified district plus the special use permit requested.

7.6.3 Criteria for Special Use Permit Approval
(A) Special use permit criteria
The City Council shall use the following criteria to evaluate a special use permit:
1) Whether the proposed use shall be in harmony with the policies of the comprehensive plan.
2) Whether the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3) Whether the proposed use shall not adversely affect the use of neighboring properties.
4) Whether the proposed use shall not generate pedestrian and vehicular traffic that is hazardous or in conflict with the existing and anticipated traffic in the neighborhood.
5) Whether utility, drainage, parking, loading, signs, lighting access and other necessary public facilities to serve the proposed use shall meet the adopted codes of the city.

NOTIFICATION:
1. Written notice was mailed to owners of real property within 300 feet of the exterior boundaries of the subject property.

HISTORY:
1. This area was zoned C-3, with the adoption of the 1985 Zoning Map and remains so designated on the 2010 Zoning Map.

STAFF COMMENTS:
Engineering Staff Comments:
Note: This application is requesting a special use permit for a restaurant at an existing site. No engineering improvements are required with this application.

Water Supply and Distribution
An eight (8) inch public water main is located on the north side of S.E. 15th Street in the street right-of-way extending along the south side of the area of request. Public water mains extend along the full frontage of this property, therefore water line improvements are not required as outlined in Municipal Code 43-32.
Sanitary Sewerage Collection and Disposal
An eight (8) inch public sewer main is located in a public utility easement along the west side of the area of request. The public sewer main is accessible and existing facility is connected to the city sewer main, sewer line improvements are not required as outlined in Municipal Code 43-109.

Streets and Sidewalks
Access to the area of request is available from S.E. 15th Street. S.E. 15th Street is classified as a secondary arterial in the 2008 Comprehensive Plan. S.E. 15th Street is a four (4) lane, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of one hundred (100) feet for secondary arterials and presently, S.E. 15th Street has one hundred (100) feet of right-of-way adjacent to and parallel to the of the area of request.

Right of way grants to the city are not required with this application.

Street improvements are not required with this application.

Sidewalk spans the frontage of this property and is not required with this application.

Drainage and Flood Control, Wetlands, and Sediment Control
Drainage serving the area of request is by an underground drainage system installed under the parking lot. Currently, the area of request is fully developed with a commercial business and surface parking. None of the area of request is affected by flood zone AE (the 100-year floodplain) as shown on the effective Flood Insurance Rate map (FIRM) number 40109C0310H, dated December 12, 2009.

Drainage and detention improvements are not required with this application.

All development on the proposed tracts must conform with the applicable requirements of Municipal Code Chapter 13, "Drainage and Flood Control."

Easements and Right-of-Way
No additional rights-of-way and/or easements are required with this application.

Fire Marshal's Comments:
The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Planning Division:
As noted in the Executive Summary, this Special Use Permit is required as the applicant is proposing to sell alcoholic beverages within the new restaurant.

As of this writing, staff has not received any calls or letters of protest regarding this rezoning request.

The proposed use is classified within the Midwest City Zoning Ordinance as Eating Establishments: Sit-Down, Alcoholic Beverages Permitted. This category states that on-premise consumption of alcohol is accessory to the restaurant operation.
As mentioned above, criteria for special use permit approval is outlined in 7.6.3. of the Midwest City Zoning Ordinance. Below are staff’s opinions as to how this application meets or does not meet the required criteria:

1. The Comprehensive Plan states that one of the three basic targets of economic development programming retaining and increasing the viability of existing local businesses. Allowing this Special Use Permit will allow this new business to occupy a space that has been vacant for several years which is consistent with the targets of the Comprehensive Plan.

2. The proposed use is in harmony with the general purpose and intent of the C-3 zoning district regulations as it is located in a commercial area and mostly surrounded by commercial uses.

3. The proposed use is not likely to adversely affect the neighboring properties. The applicant will be required to adhere to all laws regarding serving alcoholic beverages to patrons.

4. Staff does not believe that the proposed use will generate pedestrian and vehicular traffic that is hazardous or in conflict with the existing and anticipated traffic in the neighborhood. The area of request is already zoned C-3 and the traffic generated from this use would likely not change much from the existing daily traffic.

5. Utility, drainage, parking, loading, signs, lighting access and other necessary public facilities are all existing and will not be affected by this proposed use.

If this application is approved, the applicant may be required to submit a remodel application if work is to be done within the space prior to opening. All trades must be state and Midwest City licensed and trade permits must be pulled and inspections must be complete prior to opening.

Based on the information above, staff recommends approval of this Special Use Permit to allow the use of Eating Establishment: Sit-Down, Alcoholic Beverages Permitted at 6805 SE 15th Street.

**Action Required:** Approve or reject the resolution for a Special Use Permit for the property as noted herein, subject to the staff comments and recommendations as found in the June 4, 2019 agenda packet and made a part of PC- 1999 file.

Billy Harless, AICP
Community Development Director
KG
RESOLUTION NO. __________

A RESOLUTION APPROVING A SPECIAL USE PERMIT TO ALLOW EATING ESTABLISHMENT: SIT-DOWN, ALCOHOLIC BEVERAGES PERMITTED AND DIRECTING AMENDMENT OF THE OFFICIAL ZONING DISTRICT MAP TO REFLECT THE RECLASSIFICATION OF THE PROPERTY'S ZONING DISTRICT; AND PROVIDING FOR REPEALER AND SEVERABILITY

WHEREAS, the Zoning Map of Midwest City, Oklahoma, 2010, shows the following described property with a classification of C-3, Community Commercial:

A part of the SE/4 of Section 4, T11N, R2W, more particularly described as: Bill Atkinson Ranchet B1&2 001 000 Pt Blk 1 Beg 379.75 ft west of SE/C Blk 1 thence west 174.97 ft; thence north 217 ft; thence east 173.60 ft; thence south 217.01 ft to the beginning; containing .868 acres more or less.

WHEREAS, it is the desire of the Midwest City Council to grant a Special Use Permit for said property.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF MIDWEST CITY, OKLAHOMA COUNTY, STATE OF OKLAHOMA:

That the above described property located in Midwest City, Oklahoma be and is hereby granted a Special Use Permit to allow the use of Eating Establishment: Sit-Down, Alcoholic Beverages Permitted.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the ______ day of ______________________, 2019.

THE CITY OF MIDWEST CITY, OKLAHOMA

MATTHEW D. DUKES III, Mayor

ATTEST:

SARA HANCOCK, City Clerk

APPROVED as to form and legality this ______ day of ______________________, 2019.

HEATHER POOLE, City Attorney
To: Chairman and Planning Commission

From: Billy Harless, Community Development Director

Date: June 4, 2019

Subject: (PC – 2000) Discussion and consideration of approval of the proposed preliminary plat of Pieper Addition, described as a part of the SW/4 of Section 8, T11N, R1W, addressed as 2750 Hand Road.

Executive Summary: This item is a request to subdivide a single parcel into two (2) individual parcels for single family development. The proposed lots have frontage on Hand Road and are approximately 36,644 square feet each which well exceeds the minimum lot size in the R-6, Single Family Residential zoning district. The applicant is requesting a waiver to the requirement for half street and sidewalk improvements as well as a sanitary sewer extension. The City is in the process of installing a water main along the area of request. The applicant did pay the $75 deposit which will allow one lot to tie onto the new system. An impact fee of $7000 will be assessed at the time of building permit for the remaining lot. Staff recommends approval of the Pieper Addition Preliminary Plat.

Dates of Hearing:
Planning Commission – June 4, 2019
City Council – June 25, 2019

Council Ward: Ward 6, Jeff Moore

Owner/Applicant: Paul Pieper, Paul Bradley Homes

Surveyor: Troy Dee

Proposed Use: Two (2) single family residential lots

Size: The area of request has a frontage along Hand Road of approximately 241.2 ft. and a depth of approximately 303.85 ft., containing an area of approximately 1.68 acres.
Zoning Districts:
Area of Request – R-6, Single Family Detached Residential
North, South, East and West – R-6, Single Family Detached Residential

Land Use:
Area of Request – vacant
North, South and West – single family residences
East – vacant

Municipal Code Citation:
2.7.1. R-6, Single –Family Detached Residential District
The R-6, Single-Family Detached Residential District is intended for single-family residences on lots of not less than 6,000 square feet in size. This district is estimated to yield a maximum density of 5.1 gross dwelling units per acre (DUA). Additional uses for the district shall include churches, schools and public parks in logical neighborhood units.

38-18.1. Purpose
The purpose of a Preliminary Plat shall be to determine the general layout of the subdivision, the adequacy of public facilities needed to serve the intended development, and the overall compliance of the land division with applicable requirements of the Subdivision Ordinance.

History:
1. This area has been zoned single-family residential since the adoption of the 1985 zoning code and has never been platted.

Engineer’s Comments:
Water Supply and Distribution
There is currently no public water service available to the area of request. The City is in the process of extending water along Roefan and Hand Roads to provide service to the area. Connection to the public water supply system for domestic service will be possible when the applicant is ready for water meters.

The new water mains do have an $7000 impact fee that is required when setting up service. The applicant is aware of the fee and is prepared to pay it to set up their new accounts.

Sanitary Sewer Collection and Disposal
There is currently no public sewer service available to the area of request.

The area residents use individual septic systems to service each property.

The applicant proposes to construct individual systems to service the new lots.
Streets and Sidewalks
Access to the area of request is available from Hand Road. Hand Road is classified as a local street in the 2008 Comprehensive Plan. Hand Road is a two (2) lane, 22-foot wide, uncurbed, asphalt concrete roadway with no sidewalk. Hand Road does not current code requirements for street and sidewalks. As outlined in Municipal Code 38-59, the applicant has requested a waiver to the street and sidewalk improvements as there is no curbing nor sidewalk on Hand Road or in the adjacent area.

Current code requires a total half street right-of-way width of twenty-five (25) feet for local roads and presently, Hand Road has twenty-five (25) feet of right-of-way adjacent to the west side of the area of request.

Right of way grants are not required with this application.

Drainage and Flood Control and Sediment Control
Drainage across the area of request is from the southwest to the northeast via overland flow. Water runoff from this area flows northeast and collects in Choctaw Creek, which makes its way north. Currently, the area of request is undeveloped. The resident to the north (2700 Hand Road) of the area of request has contacted staff and asked if the proposed preliminary plat would have any impact on their property. Staff has spoken with the resident and explained that the lot runoff from the new homes will be directed east, not north, draining towards Choctaw Creek and not towards 2700 Hand Road. There is however a bar ditch along Hand Road that slopes north from the area of request downhill past 2700 Hand Road. It carries minimum water and any new driveways will have culverts through them, there should be no noticeable impact on the bar ditch created by this application. The neighbor also inquired about the pipe crossing underneath Hand Road that is located north and west of the area of request and north and west of 2700 Hand Road. It was explained that none of these properties on the east side of Hand Road use the pipe crossing to drain property. The subject areas slope east towards Choctaw Creek, away from the road. Staff has forwarded the resident’s request to the street department to look at the crossing and see if any maintenance can be done to help its efficiency. The resident does understand this application does not relate to the Hand Road culvert crossing.

The area of request is not affected by flood zone AE (the 100-year floodplain) as shown on the effective Flood Insurance Rate Map (FIRM) number 40109C0330H, dated December 12, 2009.

All future development on the proposed tracts must conform to the applicable requirements of Municipal Code Chapter 13, "Drainage and Flood Control."

Resolution 84-20 requires that developers install and maintain sediment and/or erosion controls in conjunction with their construction activities. Any proposed development must conform to the applicable requirements of Municipal Code Chapter 43, "Erosion Control." Sediment control plans must be submitted to and approved by the city before any land disturbance is done on-site. The developer is responsible for the cleanup of sediment and other debris from drainage pipes, ditches, streets and abutting properties as a result of his activities.
Easements and Right-of-Way
The required easements and right of way grants for the area of request will be dedicated to the city when the final plat is filed.

All easements and right of way dedications are to comply with Code Sections 38-41 and 38-44.

Fire Marshal’s Comments:
The property is required to meet and maintain the requirements of Midwest City Ordinances, Section 15.

Staff Comments:
The purpose of this preliminary plat is to split the existing 1.68 acre lot into two (2) individual lots for single family residential development. The proposed lots will have frontage along Hand Road. Each lot is approximately 36,644 square feet in size.

The dedication of parks and open space is not required with this application as the density is not greater than one unit per net acre. The Midwest City Master Trails Plan does not identify planned trails through the area of request. A Tree Canopy Management Plan is not required as the area of request is less than five (5) acres.

Since this preliminary plat meets the subdivision regulations, staff recommends approval of the preliminary plat of Pieper Addition subject to these comments.

Action Required: Approve or reject the preliminary plat of Pieper Addition located on the property as noted herein, subject to the staff comments and found in the June 4, 2019 agenda packet and made a part of PC- 2000 file.

Billy Harless, AICP
Community Development Director

KG
Requesting Variance Waiver

Paul Bradley Homes is requesting variance for the requirement to connect to city sewer system due to no availability.

Paul Bradley Homes is planning to connect to City water when the city extends down Hand Rd.

Paul Bradley Homes is requesting variance for the requirement to install curbs and sidewalks (1/2 Street improvements) due to non-existing on current street (Hand Rd.).

Thank you for your consideration

Paul Pieper
Paul Bradley Homes, LLC.
DRAINAGE LOCATION MAP FOR PC-2000
(SW/4, Sec. 8, T11N, R1W)

Locator Map

Drainage Legend

- Curb Inlets
- Inlets
- Junction Box
- Culverts
- Flumes
- Developed Channels
- Tributary Channels
- Undeveloped Channels
- Storm Lines
- Creeks

ELEVATION

- 1166-1204 ft
- 1204-1228 ft
- 1228-1250 ft
- 1250-1278 ft
- 1278-1324 ft

2009 FEMA Floodplains
- 500-yr floodplain
- 100-yr floodplain
- 2009 FEMA Floodway
- FLOODWAY

1 inch = 500 feet

0 500 1,000 Feet

This map is a general information public resource. The City of Midwest City makes no warranty, representation or guarantee as to the content, accuracy, timeliness or completeness of any of the information provided on this map. Any party's use or reliance on this map or any information on it is at that party's own risk and without liability to the City of Midwest City, its officials or employees for any discrepancies, errors or variances that may exist.
To: Chairman and Planning Commission

From: Billy Harless, Community Development Director

Date: June 4, 2019

Subject: (PC – 2001) Discussion and consideration of approval of the Final Plat of Oakes Crossing, described as a part of the SW/4 of Section 31, T12N, R1W, addressed as 10225 E. Reno Avenue.

Executive Summary: This is a request to approve a final plat to subdivide a single parcel into six (6) individual parcels for single family residential development. The preliminary plat was approved in June of 2018. A sewer line extension was a requirement of the preliminary plat. That sewer line has been constructed and approved by staff. The applicant has also provided staff a copy of the covenants that will govern the development of this addition. All elements of the covenants meet or exceed City code. As this is consistent with the approved preliminary plat, staff recommends approval.

Dates of Hearing:
Planning Commission – June 4, 2019
City Council – June 25, 2019

Council Ward: Ward 3, Espaniola Bowen

Owner/Applicant: Steve and Cindy Merriman

Engineer/Developer: E.D. Hill

Proposed Use: Six (6) single family residential lots

Size:
The area of request has a
frontage along E. Reno Avenue of approximately 657.22 ft. and a depth of approximately 329.82 ft, containing an area of approximately 4.98 acres.
Zoning Districts:
Area of Request – R-6, Single Family Detached Residential
North, South and East – R-6, Single Family Detached Residential
West – R-6, Single Family Detached Residential and R-6, Single Family Detached Residential with a Special Use Permit for a church

Land Use:
Area of Request – site of one single family residence and accessory building
North, South and East – single family residences
West – one single family residence and a church

Municipal Code Citation:
38-19 Final Plat
38-18.1. Purpose
The purpose of a Final Plat is to ensure consistency with standards of the Subdivision Ordinance pertaining to the adequacy of public facilities, provide for public improvements to serve the subdivision and that all other requirements and conditions have been satisfied or provided for to allow the Final Plat to be recorded.

History:
1. This area has been zoned single-family residential since the adoption of the 1985 zoning code.
2. The Oakes Crossing Preliminary Plat was approved June 26, 2018.

Engineer’s Comments:
Public Improvements
The Subdivision Regulations pertaining to this application require the applicant complete the installation of any required public improvements prior to the final plat application.

As required, the applicant has constructed an extension of the public sewer system to service all the new lots. It has been tested, bonded, and dedicated to the city.

No other public improvements were required with this application.

Easements and Right-of-Way
Subdivision Regulations requires that all existing, dedicated, and proposed rights-of-way and easements are depicted on the final plat. As required, these are reflected on the final plat.

Fire Marshal’s Comments:
The fire department has reviewed the request for approval of the Final Plat of Oakes Crossing. The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Staff Comments:
This is a request to subdivide one (1) existing 4.98 acre tract into six (6) individual parcels. The parcels are intended for single family residential development.
Lots 2-6 are approximately 29,690 square feet. Lot 1 is approximately 68,309 square feet. These lot sizes well exceed the requirement for the R-6, Single Family Residential district. The plat shows a 75’ front building line. Each structure must observe the 7’ side setbacks. All requirements of the Zoning Ordinance must be met with each building permit.

As noted in the preliminary plat report, the Park Land Review Committee voted to approve the request by the applicant to pay a fee in lieu of a park land dedication. Staff and the applicant agreed upon a value of the land which was used to calculate the required fee which was $233.33. The applicant must submit this fee prior to the final plat being approved by the City Council.

The applicant has submitted the covenants that will govern the development of this property. All items listed in the covenants meet or exceed City codes. Anything not specifically mentioned in the covenants will be governed by the Midwest City Zoning and Building regulations. Although there is nothing related to the subdivision (amenities, private roads, private detention ponds, etc.) that require that the covenants be submitted or reviewed by the City Attorney staff has included them within this agenda item. The City Attorney has reviewed the covenants and provided the following statement:

The covenants as set out meet or exceed city requirements and are reasonable given the location of the development. I understand the city will maintain a copy to determine all permitting requests for said development comply with covenant requirements.

The Final Plat as submitted is consistent with the approved Preliminary Plat. Staff recommends approval.

**Action Required:** Approve or reject the Oakes Crossing Final Plat located on the property as noted herein, subject to the staff comments and found in the June 4, 2019 agenda packet and made a part of PC- 2001 file.

Billy Harless, AICP
Community Development Director

KG
'OAKES CROSSING'

A Plat of the South half (S/2) of the Southwest Quarter (SW/4)
of the Southeast Quarter (SE/4) of the Southwest Quarter (SW/4)
of Section 31, T.12N., R.1.W., I.M.
Oklahoma County, Oklahoma

BASIS OF BEARING:
The Datum of Bearing is for the City Survey to the South Point on the Southwest Quarter of the Section, 0°00'00" N., 0°00'00" E., the Datum being the City Surveyed for the City of Oklahoma City, Oklahoma.

UNIT OF MEASURE:
1'-0" = 1 ft.

DATE OF SURVEY:
2/24/2011

DATE OF DRAWING:
2/24/2011

LEGAL DESCRIPTION:
The South half (S/2) of the Southwest Quarter (SW/4) of the Southeast Quarter (SE/4) of the Southwest Quarter (SW/4) of Section 31, T.12N., R.1.W., I.M., Oklahoma County, Oklahoma.

Owner's Certificate and Dedication

This plat is dedicated in a plat for the City of Oklahoma City, this plat being part of the dedication made to the City by the developer and their successors in interest.

Land Surveyor's Certificate

Lee Y. Goos, A Professional Land Surveyor, acting as surveyor on behalf of the City of Oklahoma City, Oklahoma, hereby certifies that the plat shown on the face of this plat is true and correct to the best of my knowledge and belief.

City Clerk's Certificate

Lee Y. Goos, City Clerk, City of Oklahoma City, Oklahoma, hereby certifies that the plat shown on the face of this plat is true and correct to the best of my knowledge and belief.

City Manager's Certificate

Lee Y. Goos, City Manager, City of Oklahoma City, Oklahoma, hereby certifies that the plat shown on the face of this plat is true and correct to the best of my knowledge and belief.

City Planning Commission Approval

The plat shown on the face of this plat is true and correct to the best of my knowledge and belief.

Lee Y. Goos
City Manager

Revised: 1/11/2019
The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

Applicant: ____________________
Phone Number: ________________
Address: ____________________

Final Plat Requirements/Checklist – Planning

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>38-48.7(B)(1)</td>
<td>Limits-of-No-Access</td>
</tr>
<tr>
<td>38-48.7(B)(1)</td>
<td>Where access to arterial streets has been limited by the Planning Commission, a &quot;Limits-of-No-Access&quot; note shall be placed on the final plat.</td>
</tr>
<tr>
<td>38-49.3(E)</td>
<td>City review and approval of plans for amenities shall be required prior to issuance of a Letter of Final Acceptance for the subdivision improvements.</td>
</tr>
<tr>
<td>38-50.3</td>
<td>HOA Establishment Procedures</td>
</tr>
<tr>
<td>38-50.3(A)(1)</td>
<td>The declaration, covenants and other necessary documents establishing the HOA shall be submitted to the City for review by the City Attorney for conformance with this and other applicable ordinances prior to submission of the final plat and prior to issuance of a Letter of Final Acceptance for the development.</td>
</tr>
<tr>
<td>38-50.3(A)(2)</td>
<td>HOA documents should include descriptions of any amenities, Private Streets, stub streets, thoroughfare screening, 100-year Floodplains or tributaries, and other areas for which the HOA is responsible for maintenance and shall outline the organization of the HOA.</td>
</tr>
<tr>
<td>38-50.3(B)(1)</td>
<td>All HOA documents shall be reviewed by the City Attorney prior to recordation of the final plat.</td>
</tr>
<tr>
<td>38-50.3(B)(2)</td>
<td>The Applicant shall reimburse the City for all related legal costs, as established by the City Clerk's Office for review of the HOA documents.</td>
</tr>
<tr>
<td>38-50.3(B)(3)</td>
<td>This reimbursement shall be paid in full prior to recordation of the final plat.</td>
</tr>
<tr>
<td>38-50.3(C)(1)</td>
<td>All HOA documents shall be recorded at the County prior to the recordation of the final plat.</td>
</tr>
<tr>
<td>38-50.3(C)(2)</td>
<td>Two copies of the recorded documents shall be submitted to the Director of Community Development for City records within five days following recordation.</td>
</tr>
<tr>
<td>38-50.3(D)</td>
<td>An additional phase to an existing subdivision is not required to establish a separate and distinct HOA provided that:</td>
</tr>
<tr>
<td>38-50.3(D)(1)</td>
<td>The existing recorded HOA documents are amended to incorporate the area of the new subdivision phase and to adopt the responsibility of its amenities, Private Streets, 100-year Floodplains and tributaries, thoroughfare screening, and other areas for which the HOA is responsible for maintenance.</td>
</tr>
<tr>
<td>38-50.3(D)(2)</td>
<td>The Applicant shall provide a draft of the amended covenants to the City Attorney for review prior to the recordation of the plat.</td>
</tr>
<tr>
<td>38-50.5</td>
<td>General HOA Governance and Requirements – The following shall be set forth in the HOA documents:</td>
</tr>
</tbody>
</table>
The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>38-50.5(A)(1)</td>
<td>A statement that membership in the HOA is mandatory for all owners of property within the subdivision;</td>
</tr>
<tr>
<td>38-50.5(A)(2)</td>
<td>A listing of all required maintenance responsibilities and, where possible, the lot number(s), legal descriptions, street name(s), etc. as shown on the approved plat for areas to be the responsibility of the HOA;</td>
</tr>
<tr>
<td>38-50.5(A)(3)</td>
<td>By-laws related to the governance of the HOA;</td>
</tr>
<tr>
<td>38-50.5(A)(4)</td>
<td>Covenants for maintenance assessments, which shall run with the land;</td>
</tr>
<tr>
<td>38-50.5(A)(5)</td>
<td>Responsibility for liability insurance and local taxes;</td>
</tr>
<tr>
<td>38-50.5(A)(6)</td>
<td>Statement that the authority for enforcement of HOA rules and regulations is solely the responsibility of the HOA and is not the responsibility of the City;</td>
</tr>
<tr>
<td>38-50.5(A)(7)</td>
<td>Authority for the HOA to secure funds from its members sufficient to meet its responsibilities. This authority shall include the ability to collect dues, increase dues, charge special assessments and to place liens against property for failing to pay dues and assessments;</td>
</tr>
<tr>
<td>38-50.5(A)(8)</td>
<td>Provision that no amendment of the HOA documents relating to maintenance of amenities, private streets, 100-year Floodplains or tributaries, thoroughfare screening any other HOA-maintained area or facility, or related reserve funds shall occur without prior City approval;</td>
</tr>
<tr>
<td>38-50.5(A)(9)</td>
<td>Written release of liability for maintenance to benefit the City, written indemnification of the City outlining that under no circumstances shall the City be liable to the HOA or any property owner or their respective heirs, executors, administrators, devisees, personal representatives, successors or assigns for any damages, injuries (including death) and/or liability resulting from any amenity on the private streets, within or adjacent to any 100-year Floodplain or tributary associated with any thoroughfare screening or common landscaping, or from any other HOA-owned and maintained area or facility;</td>
</tr>
<tr>
<td>38-50.5(A)(10)</td>
<td>Written assurance of funds based on an accredited cost projection analysis within a specific reserve account of the HOA for the maintenance and removal of amenities as determined by the City;</td>
</tr>
<tr>
<td>38-50.5(A)(11)</td>
<td>Written consent giving the City the authority to take the actions for violations as set forth in the Subdivision Code.</td>
</tr>
<tr>
<td>38-50.5(A)(12)</td>
<td>Other city requirements as applicable.</td>
</tr>
<tr>
<td>38-50.6</td>
<td>HOA Development Regulations shall comply with the following regulations:</td>
</tr>
<tr>
<td>38-50.6(A)</td>
<td>HOA documents shall not overrule the landscaping or other provisions of the Zoning Ordinance by penalizing or restricting water conserving landscapes, or by requiring landscape materials that do not comply with Zoning landscape requirements;</td>
</tr>
<tr>
<td>38-50.6(B)(1)</td>
<td>Where amenities are proposed in conjunction with a development, the Applicant shall comply with the regulations for amenities in the Subdivision Regulations.</td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td>38-50.6(B)(2)</td>
<td>All developments that require the provision of common open space shall submit covenants to maintain open space recreational areas and other commonly owned facilities for review with the final plat application.</td>
</tr>
<tr>
<td>38-50.6(C)</td>
<td>For single-family and two-family residential developments, the 100-year Floodplain may be owned and maintained by and HOA. The final plat shall reflect and the HOA's documents shall provide:</td>
</tr>
<tr>
<td>38-50.6(C)(1)</td>
<td>City access for emergency vehicles, equipment and personnel, and for the improvement and maintenance of the 100-year Floodplain in the event they are not being properly maintained and;</td>
</tr>
<tr>
<td>38-50.6(C)(2)</td>
<td>The HOA shall reimburse the City for all costs incurred by the City for maintenance.</td>
</tr>
<tr>
<td>38-50.6(D)(1)</td>
<td>The HOA shall own and be responsible for the maintenance of Private Streets and appurtenances and shall provide for payment of dues and assessments required to maintain the Private Streets and appurtenances.</td>
</tr>
<tr>
<td>38-50.6(D)(2)</td>
<td>The HOA documents shall state that if Private Streets are converted to public streets, the reserve fund shall become the property of the City.</td>
</tr>
<tr>
<td>38-50.6(D)(3)</td>
<td>The HOA's documents shall specify the following:</td>
</tr>
<tr>
<td>38-50.6(D)(3)(a)</td>
<td>That the streets within the development are private, that they are owned and maintained by the HOA, and that the City has no obligation to maintain, repair or reconstruct the private streets.</td>
</tr>
<tr>
<td>38-50.6(D)(3)(b)</td>
<td>A statement that the City may, but is not obligated to, inspect private streets and require repairs necessary to insure that the same are maintained to City standards.</td>
</tr>
<tr>
<td>38-50.6(D)(3)(c)</td>
<td>A statement that the HOA may not be dissolved without prior written consent of the City Council, which consent shall not be withheld by the City if it determines that an adequate reserve fund exists and the streets and alleys are in satisfactory condition as determined by the City.</td>
</tr>
<tr>
<td>38-50.6(D)(4)</td>
<td>The HOA's documents shall note that certain City services may not be provided in Private Street developments.</td>
</tr>
<tr>
<td>38-50.6(D)(4)(a)</td>
<td>The services that may not be provided include, but are not limited to: police enforcement of traffic and parking ordinances and preparation of accident reports.</td>
</tr>
<tr>
<td>38-50.6(D)(5)</td>
<td>The HOA's documents shall contain a provision that requires the HOA to provide unrestricted access to emergency vehicles, utility personnel, the U.S. Postal Service and governmental employees, agents or representatives in the performance of their official duties. All access gates shall be designed and constructed in accordance with emergency access design standards.</td>
</tr>
<tr>
<td>38-50.6(E)(1)</td>
<td>The HOA shall own and be responsible for the maintenance of all required screening walls and fences, landscaping, landscape edges and landscape irrigation systems and shall provide for payment of dues and assessments required to maintain such improvements.</td>
</tr>
<tr>
<td>38-50.6(E)(2)</td>
<td>The HOA documents shall state that the City has no obligation to maintain or reconstruct the screening walls and fences, landscaping, landscape edges and irrigation systems in the event of damage to such improvements.</td>
</tr>
</tbody>
</table>
| 38-50.6(E)(3) | The HOA documents shall state that the City may but is not obligated to inspect screening walls and fences, landscaping, landscape edges and
The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

<table>
<thead>
<tr>
<th>Section</th>
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</tr>
</thead>
<tbody>
<tr>
<td>38-52.5</td>
<td>Minimum Park Improvements</td>
</tr>
<tr>
<td>38-52.5(A)</td>
<td>Neighborhood and linear parks shall be improved by the developer prior to</td>
</tr>
<tr>
<td></td>
<td>a Letter of Final Acceptance being issued by the City.</td>
</tr>
<tr>
<td>38-52.7</td>
<td>Completion of Land Dedication and Improvements</td>
</tr>
<tr>
<td>38-52.7(A)</td>
<td>Park land shall be dedicated to the City concurrently with the filing of an</td>
</tr>
<tr>
<td></td>
<td>approved Final Plat or Replat.</td>
</tr>
<tr>
<td>38-52.7(B)</td>
<td>All improvements, if applicable, shall be completed prior to approval of the</td>
</tr>
<tr>
<td></td>
<td>Final Plat or Replat.</td>
</tr>
<tr>
<td>38-53.7(B)</td>
<td>Tree Mitigation Plan</td>
</tr>
<tr>
<td>38-53.7(I)</td>
<td>Replacement trees shall be planted prior to the approval of a Final Plat</td>
</tr>
<tr>
<td></td>
<td>and shall be installed using best management practices.</td>
</tr>
</tbody>
</table>

Additional Notes:
The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT
ENGINEERING DIVISION

Applicant: **OAKES CROSSING**
Phone Number: ____________
Address: ________________

**Final Plat Requirements/Checklist - Engineering**

The final plat shall be accompanied by a statement signed by the registered engineer preparing the plat that he has, to the best of his ability, designed the subdivision in accordance with the latest subdivision regulations and in accordance with the ordinances and regulations governing the subdivision of land.

<table>
<thead>
<tr>
<th>38-19</th>
<th>Items to accompany the Final Plat</th>
</tr>
</thead>
<tbody>
<tr>
<td>38-19.3</td>
<td>The applicant shall furnish with the application to the city a current title commitment identifying all person having an ownership interest in the property subject to the final plat and the final plat shall be signed by each owner effectively denoting that they are consenting to the platting of the property and to the dedications and covenants that may be contained in the final plat.</td>
</tr>
<tr>
<td>38-19.4</td>
<td>The final plat and all accompanying data shall conform to the approved preliminary plat or as the preliminary plat may have been subsequently amended. See section 38-18.10 for amending preliminary plat following approval.</td>
</tr>
<tr>
<td>38-19.9(a)(1)</td>
<td>All conditions imposed at the time of approval of the preliminary plat, as applicable, have been satisfied.</td>
</tr>
<tr>
<td>38-19.9(a)(2)</td>
<td>The construction plans conform to the requirements of section 38-27 and have been approved by the city engineer.</td>
</tr>
<tr>
<td>38-19.9(a)(4)</td>
<td>Where public improvements have been installed, the improvements conform to the approved construction plans and have been approved for acceptance by the city engineer.</td>
</tr>
<tr>
<td>38-19.9(a)(5)</td>
<td>The final layout of the subdivision or development meets all standards for adequacy of public facilities contained in this Subdivision Ordinance.</td>
</tr>
<tr>
<td>38-19.9(a)(7)</td>
<td>The final plat conforms to the director of community development’s subdivision application checklist, which will include a site development plan.</td>
</tr>
<tr>
<td>38-19.5(a)(1) 38-31.4(b)</td>
<td>A final inspection has been done after the completion of all improvements.</td>
</tr>
<tr>
<td>38-19.5(a)(1) 38-31.4(c)</td>
<td>Letter of final acceptance from City Engineer notifying the applicant of the city’s intended acceptance contingent on the approval of the final plat.</td>
</tr>
<tr>
<td>38-19.5(b) 38-65.151</td>
<td>Record drawings (as-builts) of all installed or constructed improvements of a development.</td>
</tr>
<tr>
<td>Administrative 38-19.9(a)(7) 38-19.10(a)(2)(c)</td>
<td>A digital copy of the as-builts</td>
</tr>
<tr>
<td>38-19.5(c) 38-31.6</td>
<td>Maintenance bond as required by City Engineer (10% of improvement cost, 1 year for utilities, 2 years for drainage, 5 years for streets and drainage under streets)</td>
</tr>
<tr>
<td>Administrative 38-19.9(a)(7)</td>
<td>Final Plat</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>North arrow, scale, date, and site location map</td>
<td>✓</td>
</tr>
<tr>
<td>The total number of lots</td>
<td>✓</td>
</tr>
<tr>
<td>The total area of development</td>
<td>✓</td>
</tr>
<tr>
<td>The location of proposed lots, areas in Acres and Square Feet, and dimensions.</td>
<td>✓</td>
</tr>
<tr>
<td>The location of property lines, existing and proposed easements, and retaining wall easements</td>
<td>✓</td>
</tr>
<tr>
<td>The location, width, and name of all existing or platted streets or other public ways (i.e. railroad and state-owned) within or immediately adjacent to the tract.</td>
<td>✓</td>
</tr>
<tr>
<td>The legal metes and bounds of the property being developed.</td>
<td>✓</td>
</tr>
<tr>
<td>The street layout and right of ways including bike trails, horse trails, or other supplementary movement systems.</td>
<td>✓</td>
</tr>
<tr>
<td>All existing arterial streets and such collector and local streets as may be necessary for convenience of traffic circulation and emergency ingress and egress. Street signs have been installed. Street lights have been installed.</td>
<td></td>
</tr>
</tbody>
</table>

Engineering Comments and Recommendations:

Associated Departments (Fire, Stormwater, and Utilities) Comments and Recommendations:
RESTRICTIVE AND PROTECTIVE COVENANTS
FOR
OAKES CROSSING

ALPHA CONSTRUCTION & DESIGN, LLC (Owner/Developer) of all property (6 lots) as shown on the map entitled “OAKES CROSSING” recorded in Oklahoma County Registry located at the Oklahoma County Courthouse downtown Oklahoma City, OK, has established a general plan for the improvements and development of OAKES CROSSING and hereby establishes the covenants, conditions and restrictions upon which all lots shall be improved. The covenants, conditions and restrictions are as follows:

1. LAND USE AND BUILDING TYPE: No lot shall be used for anything other than single-family residential purposes. All structures must meet or exceed city code. No trailer, mobile home, modular home or other similar type dwelling shall be permitted or maintained on any lot for use as a residence or any other purpose.

2. DWELLING QUALITY AND SIZE: Developer is to approve and sign off on all architectural design and building plans prior to beginning construction. The heated square footage of the main structure of any dwelling located on these lots, exclusive to porches and garages, shall not be less than 2,000 square feet on the first (1st) floor of living. The primary roof must have no less than 8/12 pitch. All first floor living space wall-plate height shall be a minimum of nine (9) feet. There shall be a minimum of two (2) car garage.

3. ROOFING: All residential structures roofing shall consist of laminate asphalt shingles and/or metal.

4. BUILDING LOCATION: All structures must have a minimum setback of 75 feet from the front ‘property line’.

5. DRIVEWAYS: All driveways must be constructed of concrete with J-Turnout.

6. REQUIREMENTS: All structures must meet all city easements and right-of-ways.

7. DRAINAGE: Single lot detention facilities will be constructed to meet the requirement of zero increase to water runoff.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by its duly authorized officers and is hereto affixed, as of May 24, 2019.

ALPHA CONSTRUCTION & DESIGN, LLC

BY
Member/Manager

BY
Member/Manager

OKLAHOMA
OKLAHOMA COUNTY

1. LINDA BURNHAM

Stephan Merriman and Cindy Merriman, a Notary Public of the County and State aforesaid certify that they

personally appeared before me this day and acknowledged that they are a Member/Manager of ALPHA CONSTRUCTION & DESIGN, LLC, an Oklahoma Limited Liability Company, and that they as a Member/Manager being authorized to do so, executed the foregoing instrument on behalf of the Company.

Witness my hand and seal this 24 day of May, 2019.

Notary Public
Printed Name of Notary:

My Commission Expires: 8-15-20