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
July 2, 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 June 4, 2019.
C. NEW MATTERS
   1. (PC-2002) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Detached Residential to C-4, General Commercial, and a resolution to amend the Comprehensive Plan from LDR, Low Density Residential to COMM, Commercial, for the property described as a part the NE/4 of Section 25, T12N, R2W, and further described as the north 115’ of the parcel addressed as 9622 NE 23rd Street.
   2. (PC – 2003) Discussion and consideration of approval of the proposed final plat of Roller Lot, described as a part of the NW/4 of Section 36, T12N, R2W, addressed as 9401 E. Cardinal Place.
   3. (PC-2004) 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-3, Community Commercial and I-1, Light Industrial district, subject to staff comments, for the property addressed as 1701 S. Air Depot Blvd.
   4. (PC – 2005) Discussion and consideration of approval of the Preliminary Plat of Ibanez Addition, described as a part of the NW/4 of Section 5, T11N, R1W and addressed as 10309 Bellmont Ave.
   5. (PC – 2006) Public hearing with discussion and consideration of approval of an ordinance to redistrict from Planned Unit Development (PUD) governed by the C-3, Community Commercial District to Amended PUD, governed by the C-3, Community Commercial District for the property described as a tract of land lying in the SW/4 of Section 4, T-11-N, R-2-W, of the Indian Meridian, City of Midwest City, Oklahoma County, Oklahoma.

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

June 4, 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 June 4, 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:        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 R. Smith, seconded by Collins, to approve the minutes of the May 7, 2019 Planning Commission meeting as presented. Voting aye: Hinton Campbell, R. Smith, J. Smith, Collins, Greil and Huskey. Nay: none. Motion carried.

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 11126 E. Reno Ave.

Staff presented a brief overview of this item. The applicant, Gary O'Brien of 102 Hidden Point, Henderson, TN, was present. There was general discussion about the item. A motion was made by Collins, seconded by Campbell, to approve the item subject to staff comments. Voting aye: Collins, Huskey, Campbell, R. Smith, J. Smith, Hinton and Greil. Voting nay: none. Motion carried.
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.

Staff presented a brief overview of this item. The applicant, Jim Brown of 2021 S. McArthur, OKC, was present. There was general discussion about this item. A motion was made by R. Smith, seconded by Huskey, to recommend approval of this item subject to staff comments. Voting aye: Hinton, Campbell, R. Smith, Collins, J. Smith, Huskey and Greil. Nay: none. Motion carried.

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.

Staff presented a brief overview of this item. The applicant, Stacy Deen of 1439 Emma Drive, MWC, was present. There was general discussion about this item. Brent Carter of 930 King Ave was present and asked about density. Staff explained that the zoning is remaining R-6, Single Family Residential and this request will split the property into two parcels with one home on each lot. Victor Gasman of 339 King Ave was present and asked if there would be an increase in runoff due to paving. The City Engineer explained that development of these lots will not be allowed to have a negative impact on adjacent properties. A motion was made by Huskey, seconded by Collins, to recommend approval of this item, including the waivers, subject to staff comments. Voting aye: Hinton, Campbell, R. Smith, Collins, J. Smith, Greil and Huskey. Nay: none. Motion carried.

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.

Staff presented a brief overview of this item. The applicant, Paden Weatherford of 505 Country Club Cir, was present. There was general discussion about this item. The applicant stated he could have the notarized letter of authorization from the property owner by the June 25 City Council meeting. A motion was made by Campbell, seconded by Huskey to recommend approval of this item subject to staff comments. Voting aye: Hinton, R. Smith, Collins, J. Smith Campbell, Greil and Huskey. Nay: none. Motion carried.

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.
Staff presented a brief overview of this item. The applicant, Paul Pieper of 329672 E. 1000 Road, Harrah, OK, was present. There was general discussion about this item. Cynthia Ramsey of 2700 Hand Road was present and notified the commission of drainage issues in the area. She has been in contact with the City Engineer. The City Engineer and Ms. Ramsey acknowledge that the area of request slopes away from her property. The City Engineer explained that improvements for the area are in the works. A motion was made by Collins, seconded by J. Smith, to recommend approval of this item subject to staff comments. Voting aye: Hinton, Campbell, R. Smith, Collins, J. Smith, Greil and Huskey. Nay: none. Motion carried.

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.

Staff presented a brief overview of this item. The applicant, Steve Merriman of 19721 SE 60th, Newalla, OK, was present. There was general discussion. A motion was made by Huskey, seconded by Campbell, to recommend approval of this item subject to staff comments. Voting aye: Hinton, Campbell, R. Smith, Collins, J. Smith, Greil and Huskey. Nay: none. Motion carried.

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 Collins. Voting aye: Hinton, Campbell, R. Smith, Collins, J. Smith, Greil and Huskey. Nay: none. Motion carried.

The meeting adjourned at 7:41 p.m.

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

From: Billy Harless, Community Development Director

Date: July 2, 2019

Subject: (PC-2002) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Detached Residential to C-4, General Commercial, and a resolution to amend the Comprehensive Plan from LDR, Low Density Residential to COMM, Commercial, for the property described as a part the NE/4 of Section 25, T12N, R2W, and further described as the north 115’ of the parcel addressed as 9622 NE 23rd Street.

Executive Summary: This is a request to rezone the property from R-6, Single Family Detached Residential to C-4, General Commercial. This parcel was annexed into Midwest City many years ago under the R-1-D zoning district just as many other parcels in the northeast part of the City. Over the years, the building closest to NE 23rd Street has been used for various non-conforming commercial purposes even though the zoning was not appropriate. The residential structure behind the commercial building has been used as a residence. The applicant has asked staff about using the commercial building for a medical marijuana dispensary or grow facility. This would require that the zoning be amended to allow the new uses. The applicant is requesting to rezone the north 115’ of this property to C-4 in order to come into conformance for future commercial use. The remainder of the lot is to remain zoned R-6, Single Family Detached Residential so that the existing structure may continue to be used as such. No variances are requested and no public improvements are required with this application. Staff recommends approval.

Dates of Hearing:
Planning Commission – July 2, 2019
City Council – July 23, 2019

Owner: Jonathan Ohenhen
Applicant: Godfrey Uwudia

Proposed Use: Existing commercial building

Size:
The area of request has a frontage of approximately 165’ along NE 23rd Street and a depth of 115’ along S. Post Road containing an area of approximately 18,975 square feet, more or less.

Development Proposed by Comprehensive Plan:
Area of Request – LDR, Low Density Residential
North – MH, Manufactured Home
South, East and West – LDR, Low Density Residential

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

Land Use:
Area of Request – Vacant commercial building
North – mobile home park
South – single family house
East and West – vacant

Municipal Code Citation:
2.21. C-4, General Commercial
2.21.1 General Description
This commercial district is designed for the conduct of personal and business services and the general retail trade of the community and surrounding area.

Because the permitted uses may serve and employ large numbers of people, the activities conducted and traffic generated make this district very incompatible with residential development.

Therefore, this district should be utilized at points of direct access from freeways, expressways and arterial intersections, or in areas identified for heavy commercial activity that will be well separated from nearby residential areas. Outdoor storage and display is permitted.

Comprehensive Code Citation:
Commercial
Areas designated for commercial land use are intended for a variety of commercial uses and establishments with outside storage, display and sales. Examples of such uses include automobile-related services, manufactured home sales, self-storage units, welding shops, and pawnshops. Commercial uses often located along major thoroughfares not because they need the visibility, as retail uses generally do, but because they need the accessibility. The challenge lies in the face that commercial uses often have a greater need for outside storage areas and these areas tend to lessen the visual quality of major thoroughfares.
History:
   1. The property was designated as R-1-D (R-6) Single Family Detached Residential, at the time of adoption of the 1985 Zoning Map.

Staff Comments:

Engineer's report:

Water Supply and Distribution
A twelve (12) inch public water main is located on the south side of N.E. 23rd Street in the street right-of-way extending along the north 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 north side of N.E. 23rd Street in the street right-of-way extending along the north 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 N.E. 23rd Street. N.E. 23rd Street is classified as a primary arterial in the 2008 Comprehensive Plan. N.E. 23rd Street is a five (5) lane, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of one hundred twenty (120) feet for primary arterials and presently, N.E. 23rd Street has one hundred thirty (130) 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 is not required with this application.

Drainage and Flood Control, Wetlands, and Sediment Control
Drainage serving the area of request is done by N.E. 23rd Street’s gutters and underground drainage system. 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 40109C0330H, dated December 12, 2009.

Drainage and detention improvements are not required with this application.

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:
Staff has been in contact with the applicant several times over the last year regarding the allowable uses within the existing commercial building. Throughout the years, the commercial structure has housed several uses including a counseling center and a small engine repair shop. It has never housed a use considered “convenience sales and personal services which is what a medical marijuana dispensary would be considered.

As the building and previous uses are already considered non-conforming, staff felt that allowing a new use would increase the non-conformancy and would not be allowed under the current R-6, Single Family Residential zoning. During conversations with the applicant, he also mentioned the possibility of using the building for commercial marijuana grow. This use requires C-4, General Commercial zoning.

Staff is aware that the house behind the commercial structure is currently being used as a residence. As such, staff and the applicant discussed only zoning the northern 115’ of the lot to C-4 so that the existing residential structure may remain and will not become non-conforming. This is common along NE 23rd where parcels have dual zoning with portions along the arterial zoned for commercial use and the rear part of the parcels zoned for residential use. It should be noted that the area of request has frontage on NE 23rd and NE 19th Street. If the applicant ever wanted to split the lot so that the residence was on its own lot, it would have frontage on NE 19th.

Staff recommends approval of this request.

Action Required:
Approve or reject the ordinance to redistrict to C-4, General Commercial and a resolution to amend the Comprehensive Plan to COMM, Commercial, for the property as noted herein, subject to staff’s comments as found in the July 2, 2019 agenda packet and made a part of PC-2002 file.

Billy Harless,
Community Development Director

KG
The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT - ENGINEERING DIVISION

William Harless, Community Development Director
Patrick Menefee, P.E., C.F.M., City Engineer

To: Kellie Gilles, Plans Review Manager

From: Patrick Menefee, City Engineer

Date: June 20th, 2019

Subject: Engineering staff comments for pc-2002 rezoning application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2002:

Note: This application is a rezoning for an existing business bringing it into compliance. No engineering improvements are required with this application.

**Water Supply and Distribution**

A twelve (12) inch public water main is located on the south side of N.E. 23rd Street in the street right-of-way extending along the north 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.

Refer to the Fire Department memo for additional comments related to water lines and fire protection.

**Sanitary Sewerage Collection and Disposal**

An eight (8) inch public sewer main is located on the north side of N.E. 23rd Street in the street right-of-way extending along the north 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 N.E. 23rd Street. N.E. 23rd Street is classified as a primary arterial in the 2008 Comprehensive Plan. N.E. 23rd Street is a five (5) lane, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of one hundred twenty (120) feet for primary arterials and presently, N.E. 23rd Street has one hundred thirty (130) 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 is not required with this application.

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

Drainage serving the area of request is done by N.E. 23rd Street’s gutters and underground drainage system. 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 40109C0330H, dated December 12, 2009.

Drainage and detention improvements are not required with this application.

**Easements and Right-of-Way**

No additional rights-of-way and/or easements are required with this application.
Re: PC-2002

PC-2002 is a request to rezone the northern portion of 9622 NE 23rd from R6, Single Family to C-4, General Commercial. The property was annexed in years ago as R6 and the house in the back is used as residential but the building in the front along NE 23rd has been used as commercial/office for a while. The applicant is wanting to use the existing commercial building for a dispensary or grow operation and therefore needs to come into zoning compliance. The southern 3/4 of the property will remain residential.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Duane Heimberger
Fire Marshal
Midwest City Fire Department
RESOLUTION NO. 2019-_____

A RESOLUTION AMENDING THE 2008 COMPREHENSIVE PLAN MAP CLASSIFICATION FROM LDR, LOW DENSITY RESIDENTIAL TO COMM, COMMERCIAL, FOR THE PROPERTY DESCRIBED IN THIS RESOLUTION WITHIN THE CITY OF MIDWEST CITY, OKLAHOMA.

WHEREAS, the 2008 Comprehensive Plan Map of Midwest City, Oklahoma shows the following described property identified as LDR, Low Density Residential:

    The North 115 feet of the property described as:
    Part of Blocks Three (#) and Six (6) of Minton’s Orchard Park, in the NE/4 of Section Twenty-five (25), Township Twelve (12) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, according to the recorded plat thereof, more particularly described as follows; Beginning at a point 164.5 feet East of the NW/C of Block 3; thence East 164.5 feet; thence South to the South line of Block 6; thence West 164.5 feet; thence North to the North line of Block 3, being the point of beginning.

WHEREAS, it is the desire of the Midwest City Council to amend the classification of the referenced property to Commercial;

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

That the classification of above described property located in Midwest City, Oklahoma is hereby changed to Commercial on the 2008 Comprehensive Plan Map.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, this _______ day of ___________________, 2019.

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 POOLE, City Attorney
PC-2002

ORDINANCE NO. ____________

AN ORDINANCE RECLASSIFYING THE ZONING DISTRICT OF THE PROPERTY DESCRIBED IN THIS ORDINANCE TO C-4, GENERAL COMMERCIAL, 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 C-4, General Commercial, subject to the conditions contained in the PC-2002 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:

The North 115 feet of the property described as:
Part of Blocks Three (#) and Six (6) of Minton’s Orchard Park, in the NE/4 of Section Twenty-five (25), Township Twelve (12) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, according to the recorded plat thereof, more particularly described as follows; Beginning at a point 164.5 feet East of the NW/C of Block 3; thence East 164.5 feet; thence South to the South line of Block 6; thence West 164.5 feet; thence North to the North line of Block 3, being the point of beginning.

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 POOLE, City Attorney
To: Chairman and Planning Commission

From: Billy Harless, Community Development Director

Date: July 2, 2019

Subject: (PC – 2003) Discussion and consideration of approval of the proposed final plat of Roller Lot, described as a part of the NW/4 of Section 36, T12N, R2W, addressed as 9401 E. Cardinal Place.

Executive Summary: This item is a request to approve a final plat to subdivide a single parcel into two (2) individual parcels. The preliminary plat was approved in May 2019. Waivers for public improvements were required with the preliminary plat as no new development is proposed with this application. As this application meets the requirements of the Subdivision Regulations and is consistent with the approved preliminary plat, staff recommends approval of the Roller Lot Final Plat.

Dates of Hearing:
Planning Commission – July 2, 2019
City Council – July 23, 2019

Council Ward: Ward 3, Esponiela Bowen

Owner/Applicant: Glenn Blumstein and Mark Svoboda

Surveyor: Kent Mace, MacBax Land Surveying

Proposed Use: Same as existing: One (1) single family residence and one (1) oil well

Size:
The area of request has a frontage along E. Cardinal Place of approximately 631.07 ft., frontage along N. King Ave. of approximately 638.31 ft., and frontage along Woodland Dr. of approximately 639.55 ft., containing an area of approximately 9.62 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 – site of one single family residence and an oil and gas well
North, South, East and West – single family residences

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 and has never been platted.
2. The Board of Adjustment approved an application for an oil and gas well at this location in December of 2013 (BA-378).
3. The Roller Lot Preliminary Plat was approved in May 2019 (PC-1992).

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.

There are no proposed physical changes to this site associated with this application.

No 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.

Drainage Summary

There are no proposed physical changes to this site associated with this application. The unimproved channel that crosses the site stays the same and will not be altered. Drainage to, across, and away from the site stays the same.

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 final plat is to split the existing 9.62 acre lot into two (2) individual lots. No development is proposed with this subdivision of land. There is currently a house in the southwest corner of the lot. The owner of the entire parcel has rented out the house and the current tenants wish to purchase the home and a portion of the lot from the owner. During the preliminary plat review, waivers to the street and sidewalk improvements and water and sewer extensions were approved allowing the applicant to apply for a final plat.

The Final Plat as submitted is consistent with the approved Preliminary Plat and does meet the requirements of the Subdivision Regulations. Staff recommends approval.

Action Required: Approve or reject the Roller Lot Final Plat located on the property as noted herein, subject to the staff comments and found in the July 2, 2019 agenda packet and made a part of PC- 2003 file.

Billy Harless, AICP
Community Development Director

KG
The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT - ENGINEERING DIVISION

William Harless, Community Development Director
Patrick Menefee, P.E., C.F.M., City Engineer

To: Kellie Gilles, Plans Review Manager

From: Patrick Menefee, City Engineer

Date: June 20th, 2019

Subject: Engineering staff comments for pc-2003 final plat application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2003:

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.

There are no proposed physical changes to this site associated with this application.

No 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.

Drainage Summary

There are no proposed physical changes to this site associated with this application. The unimproved channel that crosses the site stays the same and will not be altered. Drainage to, across, and away from the site stays the same.
Re: PC-2003

PC-2003 is the final plat of the Roller Lot at King and Cardinal.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Duane Helmberger
Fire Marshal
Midwest City Fire Department
2017 DOP (AERIAL) VIEW FOR PC-2003
(NW/4, Sec. 36, T12N, R2W)

Locator Map

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 OR ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.
To: Chairman and Planning Commission

From: Billy Harless, Community Development Director

Date: July 2, 2019

Subject: (PC-2004) 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-3, Community Commercial and I-1, Light Industrial district, subject to staff comments, for the property addressed as 1701 S. Air Depot Blvd.

Executive Summary: The structure at 1701 S. Air Depot Blvd. is a multi-tenant commercial building and houses uses allowable in the C-3, Community Commercial zoning district such as Billy Sims BBQ, a tanning salon and Fred's Farmacopia, a medical marijuana dispensary. Earlier this year, staff became aware that the owner of Fred's Farmacopia had applied for a state license for the use of medical marijuana processing. This property is zoned C-3, Community Commercial which does not allow the use of medical marijuana processing. The Midwest City Council adopted an ordinance creating the use of medical marijuana processing and setting forth the allowable zoning districts for the use which are I-1, Light Industrial, I-2, Moderate Industrial and I-3, Heavy Industrial. Upon being notified that the property was not zoned for medical marijuana processing, the applicant met with staff to begin the process of applying to amend the zoning to allow medical marijuana processing. During this meeting, the applicant explained his intentions and showed staff pictures of his processing equipment. The proposed equipment is all intended for table-top use.
The applicant has stated that no more than 1,000 square feet of the existing building will be used for processing. If any more space is needed in the future, the SPUD will need to be amended. Staff would recommend that, if approved, the Planning Commission and Council note in their motion that the only I-1, Light Industrial use allowed at the property noted in this report be medical marijuana processing.

**Dates of Hearing:** Planning Commission – July 2, 2019  
City Council – July 23, 2018

**Applicant:** Bay Woods

**Owner:** Fred Alavi

**Proposed Use:** Medical Marijuana Processing along with existing uses present in operation

**Size:**  
The area of request contains 275’ of frontage on S. Air Depot. and contains an area of approximately .95 acres.

**Development Proposed by Comprehensive Plan:**  
Area of Request – OR, Office/Retail  
North and South – OR, Office/Retail  
East – OR, Office/Retail and COMM, Commercial  
West – LDR, Low Density Residential

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

**Land Use:**  
Area of Request – commercial strip center/Fred’s Farmacopia Dispensary  
North – Auto Zone  
South – Medical office  
East – Arby’s, Credit Union, Little Caesars  
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:**

2.26 **SPUD, Simplified Planned Unit Development**

2.26.1 **General Description**

The simplified planned unit development, herein referred to as SPUD, is a special Zoning district that provides an alternate approach to conventional land use controls to produce unique, creative, progressive or quality land developments.

The SPUD may be used for particular tracts or parcels of land that are to be developed as one unit according to a master development plan map.

The SPUD is subject to special review procedures and once approved by the City Council it becomes a special zoning classification for the property it represents.

2.26.2 **Intent and Purpose**

The intent and purpose of the simplified planned unit development provisions are to ensure:

- **(A) Innovative development**
  Encouraging innovative development and protect the health, safety and welfare of the community.

- **(B) Efficient use of land**
  Encourage efficient use of land, facilitate economic arrangement of buildings and circulation systems;

- **(C) Appropriate limitations and compatibility**
  Maintain appropriate limitations on the character and intensity of use, assuring compatibility with adjoining and proximate properties, and following the guidelines of the comprehensive plan.

**History:**

1. (PC-1230) – March 1994 – Lot 7 of the area of request was zoned SPUD.
2. (PC-1436) – January 2002 – Lots 5, 6 and 7 of the area of request were rezoned from R-1-D, Single Family Residential and SPUD to C-3, Community Commercial.
3. (PC-1449) – June 2002 - Lots 8 and 9 were rezoned from C-1, Restricted Commercial to C-3, Community Commercial.

**Staff Comments:**

**Engineer’s report:**

**Water Supply and Distribution**

A twelve (12) inch public water main is located on the east side of Air Depot Boulevard 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 west side of Air Depot Boulevard in the street right-of-way extending along the east 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 Air Depot Boulevard. Air Depot Boulevard is classified as a secondary arterial in the 2008 Comprehensive Plan. Air Depot Boulevard is a five (5) lane, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of one hundred twenty (100) feet for secondary arterials and presently, Air Depot Boulevard has one hundred thirty (120) 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 is not required with this application.

Drainage and Flood Control, Wetlands, and Sediment Control

There is an existing underground drainage and detention system serving the Caspian Plaza complex constructed on site. It discharges to the city underground drainage system located along Jet Drive. 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.

Easements and Right-of-Way

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

Fire Marshal’s report:
The Fire Department has reviewed this rezoning request. The property is required to meet and maintain the requirements of the Midwest City Ordinances, Section 15.

Plan Review Comments:
As the Commission and Council will remember, staff amended the Midwest City Zoning Ordinance in October of 2018 as voters passed a measure to legalize medical marijuana in the state of Oklahoma. New use unit classifications were created for the use of commercial medical marijuana grower and medical marijuana processor. Along with researching other communities,
staff researched our own zoning ordinance to determine which zoning districts these uses should be allowed in. For the use of medical marijuana processing, staff felt that this use best fit with other processing uses which are typically allowed in industrial zoning districts, I-1, I-2 and I-3.

Upon meeting with this applicant other potential applicants interested in processing medical marijuana in Midwest City, staff has learned that some of the equipment that requires a processing license from the State of Oklahoma is small and unlike typical processing equipment that requires industrial zoning. The applicant has provided pictures and specification sheets for the processing equipment he plans to use if this application is approved. Below are descriptions and photos of the equipment.

**MagicalButter**
The magical butter machine is used to make botanical butters and oils that can then be used in recipes for baked goods, candies, marinades, lotions, etc. Ingredients are added to the machine and they are then heated and blended to make oils and butters.

![MagicalButter](image1)

**Nugsmasher**
The Nugsmasher is used to extract oils and concentrate from the flower. The machine uses two hot plates and pressure to extract the oils and concentrate. The machine is approximately 18” tall and 9” wide and weighs 74 pounds. This product is not UL listed.

![Nugsmasher](image2)


**Bubble Bag**  
The Bubble Bag is a nylon bag that is placed in a gallon bucket and used to extract oils from marijuana plants. Water is added to the bag and then plant trimmings and ice are added. The mix is then stirred and then the bubble bags are drained into the bucket leaving the herbal extract at the end of this process.

**Loader**  
The loader is used to load marijuana into rolling paper.

A site plan was not required with this SPUD application as the building is existing and there are no changes proposed to the building or any part of the exterior with this application.

The applicant has stated on the SPUD application that the processing operation would not use more than 1000 square feet of the existing space. If approved, staff would recommend that both the Planning Commission and City Council include in the motion that the use of medical marijuana processing be the only I-1 use allowed within the area of request.

**Action Required:**  
Approve or reject the ordinance to reclassify to SPUD for the property as noted herein, subject to staff’s comments as found in the July 2, 2019 agenda packet and made a part of PC-2004 file.

Billy Harless, AICP  
Community Development Director

KG
To: Kellie Gilles, Plans Review Manager

From: Patrick Menefee, City Engineer

Date: June 20th, 2019

Subject: Engineering staff comments for pc-2004 rezoning application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2004:

Note: This application is rezoning the existing business complex Caspian Plaza for the operation of a new business. No engineering improvements are required with this application.

**Water Supply and Distribution**

A twelve (12) inch public water main is located on the east side of Air Depot Boulevard 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.

Refer to the Fire Department memo for additional comments related to water lines and fire protection.

**Sanitary Sewerage Collection and Disposal**

An eight (8) inch public sewer main is located on the west side of Air Depot Boulevard in the street right-of-way extending along the east 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 Air Depot Boulevard. Air Depot Boulevard is classified as a secondary arterial in the 2008 Comprehensive Plan. Air Depot Boulevard is a five (5) lane, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of one hundred twenty (100) feet for secondary arterials and presently, Air Depot Boulevard has one hundred thirty (120) 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 is not required with this application.

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

There is an existing underground drainage and detention system serving the Caspian Plaza complex constructed on site. It discharges to the city underground drainage system located along Jet Drive. 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.

**Easements and Right-of-Way**

No additional rights-of-way and/or easements are required with this application.
Re: PC-2004

PC-2004 is a request to rezone the parcel at 1701 S. Air Depot to a SPUD to allow Medical Marijuana Processing.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.
- Processing is required to be approved by the Fire Marshal's office prior to implementation. All equipment, processes etc. are required to be submitted to the Fire Marshal's office for review and approval.

Duane Helmberger
Fire Marshal
Midwest City Fire Department
Simplified Planned Unit Development

The following is to be used if the request is for a Simplified Planned Unit Development. If this request is not for a Simplified Planned Unit Development, do not complete the next 2 pages.

This document serves as the DESIGN STATEMENT and fulfills the requirement for the SPUD. The Special Development Regulations section of the form must be completed in its entirety. If the applicant proposes additional, more restrictive, design criteria than established in the Special Development Regulations, please elaborate under Other Development Regulations.

A. Special Development Regulations
   1. List of the owners and/or developers: Fred Mani

   2. Please list the adjoining land uses, both existing and proposed.
      North: C 3
      South: C 3
      East: C 3
      West: RESIDENTIAL

   3. Please list the use or uses that would be permitted on the site. MANUFACTURING/RE-
      DOMINICAN, PRE-ROLLED JINTI, PRESS FLOWER RESIN, BUBBLE HASH, CANNABIS BUTTER AND BURLAP

   4. This site will be developed in accordance with the Development Regulations of the
      C3, I-2 zoning district.

   5. Please list all applicable special development regulations or modified regulations to the base
      zoning district: PROCESSING MARIJUANA

   6. Please provide a statement of the existing and proposed streets, including right-of-way
      standards and street design concepts: N/A

   7. Please describe the physical characteristics of the following:
      Sight-proof screening proposed:

      Landscaping proposed:

100 N. Midwest Boulevard • Midwest City, Oklahoma 73110
Community Development Department (405) 739-1220 • FAX (405) 739-1399 • TDD (405) 739-1359
An Equal Opportunity Employer    Revision date 04/22/14
The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

Signs proposed: N/A

Area of open space proposed: N/A

Proposed access points: N/A

Drainage information: N/A

8. Existing or proposed building size:
   Maximum building height: Existing
   Number of existing or proposed buildings: Existing
   Building setbacks:
      Front:
      Sides:
      Rear:

9. Please provide a description of the proposed sequence of development.
   Will start processing operation. If approved

B. Other Development Regulations
   Please list any other amenities or controls included in the SPUD: Processing area
   will be roughly 1000 sq ft

C. Master Plan Map (attached)
   Exhibit A: N/A

This site will be developed in accordance with the Master Development Plan Map as submitted to the City of Midwest City for approval in conjunction with this request.

Signature

Date

100 N. Midwest Boulevard  •  Midwest City, Oklahoma 73110
Community Development Department (405) 739-1220 • FAX (405) 739-1399 • TDD (405) 739-1359
An Equal Opportunity Employer
Revision date 04/22/14
PC-2004

ORDINANCE NO. ____________

AN ORDINANCE RECLASSIFYING THE ZONING DISTRICT OF THE PROPERTY DESCRIBED IN THIS ORDINANCE TO SPUD, SIMPLIFIED PLANNED UNIT DEVELOPMENT, 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 SPUD, Simplified Planned Unit Development, subject to the conditions contained in the PC-2004 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:

Lots 5-9 of Block 1 of the Speckman Heights 2nd Addition – located within the NE/4 of Section 9, T11N, R2W, Midwest City, OK

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 POOLE, City Attorney
To: Chairman and Planning Commission

From: Billy Harless, Community Development Director

Date: July 2, 2019

Subject: (PC – 2005) Discussion and consideration of approval of the Preliminary Plat of Ibanez Addition, described as a part of the NW/4 of Section 5, T11N, R1W and addressed as 10309 Bellmont Ave.

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 Bellmont Avenue. The lots are both over 16,000 square feet in size, which well exceeds the requirement for lot size in Single-Family Detached Residential. The applicant is requesting a waiver to the requirement for half street and sidewalk. Both lots have access to city water and sewer. Staff recommends approval of the Ibanez Addition Preliminary Plat.

Dates of Hearing:
Planning Commission – July 2, 2019
City Council – July 23, 2019

Council Ward: Ward 6,
Jeff Moore

Owner/Applicant: Raul Ibanez

Surveyor: Mark Aaron Ritchie

Proposed Use: Two (2) single family residential lots

Size:
The area of request has a frontage along Bellmont Avenue of approximately 163 ft. and a depth of approximately 230 ft., containing an area of approximately 0.81 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 — single family residence
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 south side of Bellmont Avenue and extends along the south boundary of the area of request. Public water extends across the full frontage of the proposed preliminary plat.

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 north side of Bellmont Avenue in the street right-of-way extending along the south 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. Connection to the public sewer system for domestic service is required with any future building permits.

Streets and Sidewalks

Access to the area of request is available from Bellmont Avenue. Bellmont Avenue is classified as a local street in the 2008 Comprehensive Plan. Bellmont Avenue is a two (2) lane, 22-foot wide, uncurbed, asphalt concrete roadway with no sidewalk. Bellmont
Avenue 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 Bellmont 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, Bellmont Avenue has thirty (30) feet of right-of-way adjacent to the south side of the area of request.

No right of way is required with this application.

**Drainage and Flood Control and Sediment Control**

Drainage across the area of request is from the northwest to the southeast via overland flow to the bar ditch along Bellmont 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 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.

**Planning Comments:**
The purpose of this preliminary plat is to split the existing 0.81 acre lot into two (2) individual lots for single family residential development. The proposed lots will have
frontage along Bellmont Avenue. Lot 1 is shown to be approximately 0.48 acres and Lot 2 is shown to be approximately 0.39 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 Ibanez Addition subject to these comments.

**Action Required:** Approve or reject the preliminary plat of the Ibanez Addition located on the property as noted herein, subject to the staff comments and found in the July 2, 2019 agenda packet and made a part of PC-2005 file.

Billy Harless, AICP
Community Development Director

LG
To : Kellie Gilles, Plans Review Manager

From : Patrick Menefee, City Engineer

Date : June 20th, 2019

Subject : Engineering staff comments for pc-2005 preliminary plat application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2005:

Water Supply and Distribution

A six (6) inch public water main is located on the south side of Bellmont Avenue and extends along the south boundary of the area of request. Public water extends across the full frontage of the proposed preliminary plat.

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 north side of Bellmont Avenue in the street right-of-way extending along the south 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. Connection to the public sewer system for domestic service is required with any future building permits.

Streets and Sidewalks

Access to the area of request is available from Bellmont Avenue. Bellmont Avenue is classified as a local street in the 2008 Comprehensive Plan. Bellmont Avenue is a two (2) lane, 22-foot wide, uncurbed, asphalt concrete roadway with no sidewalk. Bellmont Avenue 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 Bellmont 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, Bellmont Avenue has thirty (30) feet of right-of-way adjacent to the south side of the area of request.

No right of way is required with this application.

**Drainage and Flood Control and Sediment Control**

Drainage across the area of request is from the northwest to the southeast via overland flow to the bar ditch along Bellmont 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 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.
Re: PC-2005

PC-2005 is a preliminary plat for a lot on Bellmont. They are proposing to split one lot into two for single family residential development.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Duane Helmberger
Fire Marshal
Midwest City Fire Department
PRELIMINARY PLAT TO SERVE IBANEZ ADDITION
BEING A PART OF THE WMW, SEC. 5, TILM, RIM, BM
CITY OF MIDTOWN CITY, OKLAHOMA COUNTY, OKLAHOMA

SOURCES: 1. The Survey and Platting Act of 1921, 2. The Oklahoma Statutes of 1909

PRELIMINARY PLAT

DRAWN: \\
PREPARED: \\
CHECKED: \\
OWNED: \\
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2017 DOP (AERIAL) VIEW FOR PC-2005
(NW/4, Sec. 6, T11N, R1W)

Locator Map

0 400 800 Feet
1 inch = 400 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 ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.
To: Chairman and Planning Commission

From: Billy Harless, Community Development Director

Date: July 2, 2019

Subject: (PC – 2006) Public hearing with discussion and consideration of approval of an ordinance to redistrict from Planned Unit Development (PUD) governed by the C-3, Community Commercial District to Amended PUD, governed by the C-3, Community Commercial District for the property described as a tract of land lying in the SW/4 of Section 4, T-11-N, R-2-W, of the Indian Meridian, City of Midwest City, Oklahoma County, Oklahoma.

Executive Summary
This request is to amend the Sooner Rose III PUD. The original PUD was approved in October of 2017. Since that time, the applicant has acquired additional property to the southwest of the site and has secured tenants for spaces within the PUD. This has caused the need for lot lines to be adjusted to accommodate parking for each use. The applicant first submitted a replat application, however, the proposed replat created non-conforming lots. Two of the proposed lots have less than 100’ of frontage on a public street and one lot is landlocked. The landlocked parcel is to be used exclusively for parking and cross access agreements listed in the PUD will ensure access to the parcel. This was also allowed in the Sooner Rose II PUD as there are several landlocked parcels within that development with cross access agreements providing access to all parcels. This request is to address the non-conforming lots only. No changes are requested the allowable uses, architecture, signage, landscaping or any other requirements of the original PUD. Staff recommends approval of this request.

Dates of Hearing: Planning Commission – July 2, 2019
City Council – July 23, 2019

Council Ward: Ward 1 – Councilmember Susan Eads

Owner/Applicant: Bob Stearns, SR3 DEV LLC
Proposed Use: re-development of site for new commercial uses

Development Proposed by Comprehensive Plan:
Area of Request – OR, Office Retail
North – HDR, High Density Residential
South, East and West – OR, Office Retail

Zoning Districts:
Area of Request – PUD, Planned Unit Development
North – R-HD, High Density Residential
South – C3, Community Commercial,
East and West – PUD, Planned Unit Development

Land Use:
Area of Request – Vacant
North – group care facility
South – commercial businesses
East – future Andy’s Altitude
West – Warren Theatre

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:
2.25 PUD, Planned Unit Development

2.25.1 General Provisions
The planned unit development, herein referred to as PUD, is a special zoning district category that provides an alternate approach to conventional land use controls to produce unique, creative, progressive, or quality land developments.

The PUD may be used for particular tracts or parcels of land that are under common ownership and are to be developed as one unit according to a master development plan.

The PUD is subject to special review procedures within the PUD application and review and once approved by the City Council it becomes a special zoning classification for the property it represents.

2.25.2 Intent and Purpose
The intent and purpose of the PUD provisions are as follows:
(A) Innovative land development
Encourage innovative land development while maintaining appropriate limitations on the character and intensity of use, assuring compatibility with adjoining and proximate properties, and following the guidelines of the comprehensive plan.

(B) Flexibility within developments
Permit flexibility within the development to maximize the unique physical features of the particular site.

(C) Efficient use of land
Encourage efficient use of land, facilitate economic arrangements of buildings and circulation systems, and encourage diversified living environments and land uses.

(D) Function, design and diversity
Achieve a continuity of function and design within the development and encourage diversified living environments and land uses.

(E) Modifications to development requirements
Provide a vehicle for negotiating modifications in standard development requirements in order to both encourage innovative development and protect the health, safety and welfare of the community.

History:

1. The portions of the area that are zoned R6, Single Family Residential and C-3, Community Commercial have remained so since the 1986 Zoning Ordinance and Map.
2. The area of request was rezoned to a PUD in October 2017 (PC-1925)
3. The final plat of this area was approved in June 2018 (PC-1952)

Staff Comments:

Engineering Comments:
Note: This application is adjusting the lot lines on the existing commercial complex Sooner Rose III. No engineering improvements are required with this application.

Water Supply and Distribution
An eight (8) inch public water main is located on the west side of Buena Vista Drive in the street right-of-way extending along the west side of the area of request. Public water mains extend throughout the development. 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 Buena Vista Drive in the street right-of-way extending along the west side of the area of request and are also extended throughout the site. 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 Buena Vista Drive. Buena Vista Drive is classified as a local road in the 2008 Comprehensive Plan. Buena Vista Drive is a two (2) lane, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of fifty (50) feet for local roads and presently, Buena Vista Drive has one fifty (50) 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 is not required with this application.

**Drainage and Flood Control, Wetlands, and Sediment Control**
There is a fully constructed underground drainage and detention system serving the Sooner Rose III development. It discharges to the city underground drainage system located north along Buena Vista Drive. 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.

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

**Fire Marshal’s Comments:**
The Fire Marshal has reviewed this proposed PUD. The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

**Plan Comments:**
In May of 2019, staff was contacted by Terry Haynes of SMC Consulting Engineers regarding the need to replat Lot 1 of the Sooner Rose III Addition. When the lot was platted in 2018, Lot 1 was a large lot and the future tenant/business was not known. Since that time, Sooner Investment has acquired the property to the south and made progress in securing tenants for Lot 1 which has caused a need for Lot 1 to be split up to accommodate future tenants/uses.

After reviewing the proposed replat, staff found that three (3) of the proposed lots are non-conforming. The non-conformities are detailed below.

- Proposed Lot 1A contains less than 100’ of street frontage. This lot has 99.97’ of frontage on Buena Vista Ave.
- Proposed Lot 1D contains less than 100’ of street frontage. This lot has approximately 79.60’ of frontage on Buena Vista Ave.
- Proposed Lot 1E is landlocked with no frontage on a public street.

Staff explained that because these proposed lots are non-conforming, they must be addressed in the zoning prior to the replat being heard by the Planning Commission and City Council.

Lots 1A and 1D are intended for parking for within the PUD and also for the newly acquired lot to the south, the Twidwell lot, which is not a part of the PUD but is being developed as part of the entire Sooner Rose development.
Although it is not common to allow landlocked parcels, this has been done in the past for large commercial centers where cross access is provided through parking lots such as was done in Sooner Rose II.

The PUD amendment states that lot 1E will be developed with lots 1A and 1D.

No other changes to any other element of the original PUD are being requested. This PUD shares many similarities with the Sooner Rose Phase I and II PUD’s. Those developments have been successful and are complimentary to the City of Midwest City. Staff recommends approval subject to staff comments.

**Action Required:** Approve or reject an ordinance to redistrict to Amended Planned Unit Development for the property noted in this report and subject to staff’s comments as found in the July 2, 2019, agenda packet, and as noted in PC – 2006 file.

Billy Harless, AICP
Community Development Director
KG
STATE OF OKLAHOMA

SOONER ROSE PHASE III – FIRST AMENDMENT TO RETAIL PLANNED UNIT DEVELOPMENT AGREEMENT

COUNTY OF OKLAHOMA

THIS SOONER ROSE PHASE III – FIRST AMENDMENT TO RETAIL PLANNED UNIT DEVELOPMENT AGREEMENT (this “First Amendment”) is entered into as of the ____ day of July, 2019, by and between SR3 DEV, LLC, an Oklahoma limited liability company, and the City of Midwest City, a municipal corporation of Oklahoma (the “City”).

STATEMENT OF PURPOSE

Sooner Investment Group, Inc., the former contract purchaser and affiliate of SR3, and the City entered into that certain Sooner Rose Phase III – Retail Planned Unit Development Agreement, approved by the City Council pursuant to Ordinance No. 3324 and dated October 24, 2017 (the “Original PUD”) for the that certain property, more particularly described on Exhibit A-1 (the “Sooner Property”). The parties hereto desire to amend the Original PUD as more particularly set forth below.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Incorporation by Reference. The Statement of Purpose set forth above is true and correct and is hereby incorporated by reference.
2. Definitions. Unless otherwise expressly defined in this First Amendment, capitalized terms utilized herein shall have the same meaning as provided in the Original PUD.
3. Exhibits. The following exhibits are attached hereto and incorporated by reference:
   3.1. Exhibit A-1 – Legal Description – the Sooner Property;
   3.2. Exhibit A-5 – Legal Description – Twidwell Property; and
   3.3. Exhibit B – Master Development Plan (the “Master Development Plan”).
4. Legal Description – Sooner Property. The Exhibit A-1 attached to the Original PUD is hereby amended and restated in its entirety with the Exhibit A-1 attached hereto.
5. Master Development Plan. The Master Development Plan attached as Exhibit B to the Original PUD is hereby amended and restated in its entirety with the Master Development Plan attached hereto as Exhibit B. All lot references within the Property shall be revised consistent with the lot references depicted on the Master Development Plan attached hereto and the Final Plat, Replat of Lot 1, Block 1, Sooner Rose III Addition, submitted by SR3 to the City current with this First Amendment, and summarized below:

<table>
<thead>
<tr>
<th>Original PUD</th>
<th>First Amendment</th>
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<tbody>
<tr>
<td>Lot 1</td>
<td>Lot 1B</td>
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<tr>
<td>Lot 2*</td>
<td>Lot 1C</td>
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<tr>
<td>Lot 3*</td>
<td>Lot 1A</td>
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<td>Lot 4</td>
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* Lots 1D and 1E are hereby established by this First Amendment consistent with the Final Plat, Replat of Lot 1, Block 1, Sooner Rose III Addition.
6. **Development Regulations.** Without limited the applicability of the provisions of the Original PUD or this First Amendment, the following variances from the City’s Zoning Ordinance shall be permitted by this First Amendment:

6.1. Lots 1A and 1D shall be permitted less than one hundred feet (100') of frontage on Buena Vista Avenue;

6.2. Lot 1E, as shown on the Master Development Plan, shall be developed as a common development plan with Lots 1A and 1D, and shall not be developed independently of one of the two previously referenced Lots; and

6.3. Off-site parking shall be a permitted use for Lots 1D and 1E for uses located within the Sooner Property and the Twidwell Lot, which is shown on the Master Development Plan and more particularly described on Exhibit A-5.

7. **Conflicts; No Further Amendments.** In the event of any conflict between the Original PUD and this First Amendment, this First Amendment shall control. Except as expressly provided in this First Amendment, the Original PUD shall remain in full force and effect.

**REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**
Exhibit A-1

Legal Description – Sooner Property

All of Lot 1, Block 1, Sooner Rose III Addition, an addition to the City of Midwest City, Oklahoma County, Oklahoma according to the plat recorded in Book 77 of Plats, Page 48.
Exhibit A-5

Legal Description – Twidwell Property

RECORD DESCRIPTION:

A part of the Southwest Quarter (SW/4) of Section Four (4), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows: Beginning at a point 601.00 feet West of the Southeast Corner of the Southwest Quarter (SW/4); Thence North 330 feet; Thence West 191 feet; Thence South 330 feet; Thence East 191 feet to the Point of Beginning.

AS SURVEYED DESCRIPTION:

A tract of land lying in the Southwest Quarter of Section Four (4), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma being more particularly described as follows:

COMMENCING at southeast corner of said Southwest Quarter;

THENCE South 89°24'49" West, along the south line of said Southwest Quarter, a distance of 601.00 feet to the POINT OF BEGINNING;

THENCE North 01°23'57" West a distance of 330.00 feet;

THENCE South 89°24'49" West, parallel with the south line of said Southwest Quarter, a distance of 191.00 feet to a point on the centerline of Buena Vista Avenue as established by Easement for Right of Way recorded in Book 64, Page 69;

THENCE South 01°23'57" East, along said centerline, a distance of 330.00 feet to a point on the south line of said Southwest Quarter;

THENCE North 89°24'49" East, along said south line, a distance of 191.00 feet to the POINT OF BEGINNING.

Said described tract of land contains a gross area of 63,024 square feet or 1.4468 acres and a net area, less streets rights of way, of 46,161 square feet or 1.0597 acres, more or less.
The City of

MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT - ENGINEERING DIVISION

William Harless, Community Development Director
Patrick Menefee, P.E., C.F.M., City Engineer

To: Kellie Gilles, Plans Review Manager
From: Patrick Menefee, City Engineer
Date: June 20th, 2019
Subject: Engineering staff comments for pc-2006 amending plat application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2006:

Note: This application is adjusting the lot lines on the existing commercial complex Sooner Rose III. No engineering improvements are required with this application.

Water Supply and Distribution

An eight (8) inch public water main is located on the west side of Buena Vista Drive in the street right-of-way extending along the west side of the area of request. Public water mains extend throughout the development. Water line improvements are not required as outlined in Municipal Code 43-32.

Refer to the Fire Department memo for additional comments related to water lines and fire protection.

Sanitary Sewerage Collection and Disposal

An eight (8) inch public sewer main is located on the east side of Buena Vista Drive in the street right-of-way extending along the west side of the area of request and are also extended throughout the site. 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 Buena Vista Drive. Buena Vista Drive is classified as a local road in the 2008 Comprehensive Plan. Buena Vista Drive is a two (2) lane, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of fifty (50) feet for local roads and presently, Buena Vista Drive has one fifty (50) feet of right-of-way adjacent to and parallel to the of the area of request.

100 N. Midwest Boulevard, Midwest City, Oklahoma 73110
Engineering Division (405) 739-1220 X FAX (405)739-1399
An Equal Opportunity Employer
Right of way grants to the city are not required with this application.

Street improvements are not required with this application.

Sidewalk is not required with this application.

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

There is a fully constructed underground drainage and detention system serving the Sooner Rose III development. It discharges to the city underground drainage system located north along Buena Vista Drive. 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.

**Easements and Right-of-Way**

No additional rights-of-way and/or easements are required with this application.
Re: PC-2006

PC-2006 is an amendment to the SR III (between Buena Vista and Crosby) PUD. They are needing to reconfigure lot one to designate parking for certain lots. Cross access remains between all of the lots. The first page of the design statement explains the changes. The exterior boundaries aren't changing, just interior lot lines. We're requiring the amendment because the change creates a "landlocked" parcel and two parcels with less than 100 ft. of frontage on a public street (Buena Vista). The parcel is landlocked but it is a parking lot and the cross access throughout the PUD will ensure access throughout.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Duane Helmberger
Fire Marshal
Midwest City Fire Department
2017 DOP (AERIAL) VIEW FOR PC-2006 & PC-2007 (SW/4, Sec. 4, T11N, R2W)

Locator Map

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 ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.
ORDINANCE

SECTION 1. That the zoning district of the following described property is hereby reclassified to Amended PUD, Planned Unit Development, subject to the conditions contained in the PC-2006 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:

Lot 1, Block 1 of the Sooner Rose III Addition, Midwest City, Oklahoma County, Oklahoma.

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 Poole, City Attorney
To: Chairman and Planning Commission

From: Billy Harless, Community Development Director

Date: July 2, 2019

Subject: (PC–2007) Public hearing with discussion and consideration of approval of the replat of Lot 1 of the Sooner Rose III Addition for the property described as a tract of land lying in the SW/4 of section 4, T-11-N, R-2-W, of the Indian Meridian, located along SE 15th Street, between Buena Vista Ave. and Crosby Blvd., Midwest City, Oklahoma.

Executive Summary: This item is a request for the replat of Lot 1 of the Sooner Rose III Addition. The final plat for this development was approved in June of 2018 and was rezoned to a PUD in October of 2017. This replat is consistent with the PUD amendment heard prior to this item. The amendment/replat is being requested to accommodate parking for uses within and adjacent to the development. As three (3) of the lots included in this replat are non-conforming with zoning standards, the PUD amendment must be approved before this replat may be approved. The non-conformances are three (3) lots not having the required 100’ of street frontage as required for commercial zoning. Staff recommends approval of this requested replat contingent upon the PUD amendment being approved.

Dates of Hearing:
Planning Commission – July 2, 2019
City Council – July 23, 20:9

Council Ward: Ward 1, Susan Eads

Owner/Applicant: Bob Stearns, SRIII LLC

Proposed Use: re-development of site for commercial uses

Size: The area of request contains approximately 4.46 acres.
Zoning Districts:
Area of Request – PUD, Planned Unit Development
North – R-HD, High Density Residential
South – C3, Community Commercial,
East and West – PUD, Planned Unit Development

Municipal Code Citation:
38-21.1. Purpose
A Replat of all or a portion of a recorded Plat may be approved without vacation of the recorded Plat, if the Replat meets the following criteria:

The Replat is signed and acknowledged by the owners of the property being replatted; and

The Replat does not propose to amend or remove any covenants or restrictions previously incorporated in the recorded plat.

History:
1. October 2017 (PC-1925) – This property was rezoned to a PUD.
2. The Preliminary Plat of Sooner Rose III was approved November 28, 2017 (PC-1928)
3. The Final Plat of Sooner Rose III was approved June 26, 2018 (PC-1952)

Staff Comments:

Engineering Comments:
Note: This application is adjusting the lot lines on the existing commercial complex Sooner Rose III. No engineering improvements are required with this application.

Water Supply and Distribution
An eight (8) inch public water main is located on the west side of Buena Vista Drive in the street right-of-way extending along the west side of the area of request. Public water mains extend throughout the development. 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 Buena Vista Drive in the street right-of-way extending along the west side of the area of request and are also extended throughout the site. 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 Buena Vista Drive. Buena Vista Drive is classified as a local road in the 2008 Comprehensive Plan. Buena Vista Drive is a two (2) lane, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of fifty (50) feet for local roads and presently, Buena Vista Drive has one fifty (50) 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 is not required with this application.

Drainage and Flood Control, Wetlands, and Sediment Control
There is a fully constructed underground drainage and detention system serving the Sooner Rose III development. It discharges to the city underground drainage system located north along Buena Vista Drive. 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.

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

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

Plan Comments:
The proposed replat of Lot 1 of the Sooner Rose III addition proposes to create five (5) individual lots out of the originally platted Lot 1. The entire area of request encompasses approximately 4.46 acres.

When the lot was platted in 2018, Lot 1 was a large lot and the future tenant/business was not known. Since that time, Sooner Investment has acquired the property to the south and made progress in securing tenants for Lot 1 which has caused a need for Lot 1 to be split up to accommodate future tenants/uses.

As mentioned in the executive summary, three (3) of the proposed lots are non-conforming in that they have no or less than the required 100’ of street frontage. These lots are to be used for parking and access throughout the entire development. The applicant recently acquired the property just south of the area of request. This is known as the Twidwell property. The proposed uses for that building require additional parking. Lot 1D is intended to help satisfy the parking requirement for the Twidwell property. Proposed Lot 1E is also intended for parking as per the PUD heard prior to this item. Lot 1E has no street frontage but is accessible through cross access agreements listed in the original PUD.

Prior to this item was a request to amend the PUD to allow for less than 100’ of street frontage for proposed Lots 1A, 1D and 1E. That amendment with the variances to the street frontage requirement must be approved prior to this replat being approved.
The lot configuration is similar to that previously approved in Sooner Rose II where certain lots are needed to satisfy parking requirements for specific uses and cross access agreements are in place to ensure access to the entire development.

Staff recommends approval.

**Action Required:** Approve or reject the replat of Lot 1 of the Sooner Rose III Addition for the property as noted herein, subject to the staff comments and recommendations as found in the July 2, 2019, agenda packet, and as noted in PC-2007 file.

Billy Harless, AICP
Community Development Director

KG
FINAL PLAT
REPLAT OF LOT 1, BLOCK 1, SOONER ROSE III ADDITION
AN ADDITION TO THE CITY OF MIDWEST CITY, OKLAHOMA COUNTY, OKLAHOMA
BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 4,
TOWNSHIP 11 NORTH, RANGE 2 WEST, I.M.
OKLAHOMA COUNTY, OKLAHOMA

COUNTY TREASURER'S CERTIFICATE

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COUNTY TREASURER

LICENSED LAND SURVEYOR

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The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT - ENGINEERING DIVISION

William Harless, Community Development Director
Patrick Menefee, P.E., C.F.M., City Engineer

To: Kellie Gilles, Plans Review Manager

From: Patrick Menefee, City Engineer

Date: June 20th, 2019

Subject: Engineering staff comments for pc-2007 re-plat application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2007:

Note: This application is adjusting the lot lines on the existing commercial complex Sooner Rose III. No engineering improvements are required with this application.

Water Supply and Distribution

An eight (8) inch public water main is located on the west side of Buena Vista Drive in the street right-of-way extending along the west side of the area of request. Public water mains extend throughout the development. Water line improvements are not required as outlined in Municipal Code 43-32.

Refer to the Fire Department memo for additional comments related to water lines and fire protection.

Sanitary Sewerage Collection and Disposal

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100 N. Midwest Boulevard, Midwest City, Oklahoma 73110
Engineering Division (405) 739-1220 X FAX (405)739-1399
An Equal Opportunity Employer
Right of way grants to the city are not required with this application.

Street improvements are not required with this application.

Sidewalk is not required with this application.

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

There is a fully constructed underground drainage and detention system serving the Sooner Rose III development. It discharges to the city underground drainage system located north along Buena Vista Drive. 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.

**Easements and Right-of-Way**

No additional rights-of-way and/or easements are required with this application.
Re: PC-2007

PC-2007 is the replat for lot 1 of the Sooner Rose III Plat.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Duane Helmburger
Fire Marshal
Midwest City Fire Department