

The City of Durant encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged in order to make the necessary accommodations. The City of Durant may waive the 48-hour rule if interpreters for the deaf (signing) or translation services for limited English proficient (LEP) individuals are not the necessary accommodation.

DURANT PLANNING COMMISSION

5:30 PM

**Roscoe J. Hatfield
Council Chambers,
300 West Evergreen,
Durant, Oklahoma
AGENDA**

December 7, 2021

CALL TO ORDER

INVOCATION/FLAG SALUTE

ROLL CALL

ORDER OF BUSINESS

1. Consent Items

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.

- a. Consider Approval of Regular Meeting Minutes of November 2, 2021
- b. Discussion, Consideration and Possible Action on the 2022 Planning Commission Regular Meeting Calendar

2. Consider Items Removed from Consent

3. Information Items

4. Public Hearings

- a. Discussion, Consideration and Possible Action on PC2021-31 a Replat request for property located near Chuckwa Street and Marie Drive
- b. Discussion, Consideration and Possible Action on PC2021-32 Amending Section 157.032 of the Durant Code of Ordinances

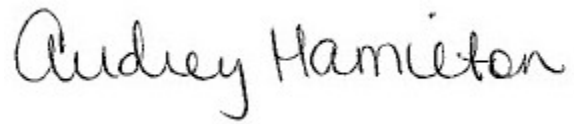
5. New Business

ADJOURNMENT

CERTIFICATE

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice

of the date, time and place of this meeting was filed with the City Clerk of Durant on the 9th day of September, 2021 and that an agenda of said meeting was posted at the place of such meeting at 09:00 a.m. on the 3rd day of December, 2021.

A handwritten signature in cursive script that reads "Audrey Hamilton".

Audrey Hamilton, City of Durant

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 9th day of September, 2021 and that an agenda of said meeting was posted at the place of such meeting at 10:30 a.m. on the 29th day of October, 2021.



Audrey Hamilton, City of Durant

MINUTES OF THE MEETING OF DURANT PLANNING COMMISSION
November 2, 2021 AT 5:30 PM, Roscoe J. Hatfield
Council Chambers,
300 West Evergreen,
Durant, Oklahoma

CALL TO ORDER

Planning Commission Vice-Chair Jackson called the meeting to order at 5:34 p.m.

INVOCATION/FLAG SALUTE

Commission Member Jackson provided the invocation. Commission Member Knight led the flag salute.

ROLL CALL

Present:

Planning Commission Vice Chairman Drew Jackson
Planning Commissioner Shane Knight
Planning Commissioner Whitney Kerr

Absent:

Planning Commission Chairman Kevin Keener
Planning Commissioner Clent Horner

ORDER OF BUSINESS

1. Consent Items

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.

- a. Consider Approval of Regular Meeting Minutes of October 5, 2021

Motion was made by Commission Member Knight and seconded by Commission Member Kerr to approve the minutes as presented.

Motion Passed with the following vote:

Ayes: Jackson, Knight, Kerr

Nays: None

Abstain: None

2. Consider Items Removed from Consent

3. Public Hearings

- a. Discussion, Consideration and Possible Action on PC2021-30 a Rezoning request from C-2, Highway Commercial and Commercial Recreation to A-1, General Agriculture and a Conditional Use Permit Application for property located at 2201 S. 9th Avenue

Danielle O'Neal reviewed with the Planning Commission members a Rezoning request from C-2, Highway Commercial and Commercial Recreation District to A-1, General Agriculture District and a Conditional Use Permit for property located at 2201 S 9th Avenue. The applicant approached staff regarding the desire to build a communication tower on the property. Currently, the property is dual zoned, with a part of it being zoned as A-1, General Agriculture and the other C-2, Highway Commercial and Commercial Recreation. The application states that there is an increased demand for cellular data and most towers in the area are at capacity. The tower is expected to be constructed in the parking lot of the stockyards property. The lot does have city water and sewer nearby. The subject property is approximately 9 acres and currently has the Durant Stockyards buildings on the property. The area is made up of a mixture of mostly Agriculture and Commercial Zoned properties. The subject property does meet the requirements for the lot area that is required within the requested zoning type. Ordinances also require communication towers within Agriculture Zoned property to obtain a Conditional Use Permit as specified within the Permitted Uses Table. The current Land Use Map has this area as commercial land uses; therefore, this rezoning request and conditional use permit request appears to not be in line with the Future Land Use Map. Notifications have been made to the surrounding property owners and at the time of this report staff has not received any calls or emails regarding this rezoning request and Conditional Use Permit request.

Ty Knott, representative of CRB/ATT, spoke in support.

Jeff Hazaleus, applicant, spoke in support.

Vice-Chair Jackson called for no action to be taken on this item at this time.

- b. Discussion, Consideration, and Possible Action on a Recommendation to the City Council to Amend Section 157.031 of the Durant Code of Ordinances.

John Dean reviewed with the Planning Commission members proposed language to modify Section 157.031, Uses Permitted in Districts of the Durant Code of Ordinances.

Motion was made by Commission Member Knight and seconded by Commission Member Kerr to approve the request as presented.

Motion Passed with the following vote:

Ayes: Jackson, Knight, Kerr

Nays: None

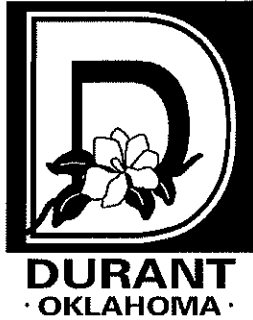
Abstain: None

4. New Business

There was no new business.

ADJOURNMENT

Motion made by Commission Member Knight and seconded by Commission Member Kerr to adjourn the meeting.



THE CITY OF DURANT

Office of Community Development

Date: 12/07/2021
To: Planning Commission
From: Danielle O'Neal, Community Development Director
Re: 2022 Calendar for Planning Commission Meetings

Request: Consider the 2022 Calendar for Regular Planning Commission Meetings.

Information: Staff has drafted a 2022 Calendar for Planning Commission meetings. Staff did not find any conflicts with any of the holidays.

Required Action: Consider approval of the 2022 Calendar for Planning Commission meetings.

**Schedule of Regular Meetings for
Durant Planning Commission
Calendar Year 2022**

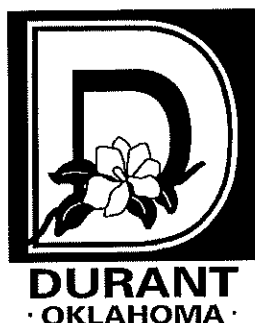
<u>Date</u>			<u>Time</u>	<u>Location</u>
January	04	2022	5:30	Roscoe J. Hatfield Council Chambers
February	01	2022	5:30	Roscoe J. Hatfield Council Chambers
March	01	2022	5:30	Roscoe J. Hatfield Council Chambers
April	05	2022	5:30	Roscoe J. Hatfield Council Chambers
May	03	2022	5:30	Roscoe J. Hatfield Council Chambers
June	07	2022	5:30	Roscoe J. Hatfield Council Chambers
July	05	2022	5:30	Roscoe J. Hatfield Council Chambers
August	02	2022	5:30	Roscoe J. Hatfield Council Chambers
September	06	2022	5:30	Roscoe J. Hatfield Council Chambers
October	04	2022	5:30	Roscoe J. Hatfield Council Chambers
November	01	2022	5:30	Roscoe J. Hatfield Council Chambers
December	06	2022	5:30	Roscoe J. Hatfield Council Chambers

Filed By:

Audrey Hamilton
Planning Commission Secretary
PO Box 578
Durant, OK 74702-0578

Filed in the office of the Durant City Clerk
On _____, 2022.

Cynthia Price, City Clerk



THE CITY OF DURANT

Office of Community Development

Date: 12/07/2021
To: Planning Commission
Case: PC 2021-31
From: Danielle O'Neal, Community Development Director
Re: Re-Plat of the property located near the intersection of Chuckwa Street and Marie Drive

Request: Consider a request from Carrus Health, for a re-plat of property located near the intersection of Chuckwa Street and Marie Drive.

Current Zoning: C-2, Highway Commercial and Commercial Recreation

Surrounding Properties:

Direction	Zoning	Use
North	A-1	Residential
East	C-2	Commercial
South	C-2	Commercial
West	R-1	Single Family Uses / Commercial

Applicant: Carrus Health

Background: The applicants approached staff regarding the desire to separate a single lot into two lots. The applicant desires to have a long-term adult care facility and medically related retail and hospitality on these lots. There is an existing plat on file; therefore, a re-plat would be required to separate this existing lot into two lots.

Notifications have been made to the surrounding property owners and at the time of this report staff has received several letters in protest of this request. They are attached to this report.

Analysis: The subject property is approximately 9.85 acres in total. Individually the proposed Lot one is approximately 5.00 acres and the proposed Lot 2 is approximately 4.85 acres. The new lots would meet the lot area requirements of the C-2 zoning category. There appears to be city water and sewer in the area.

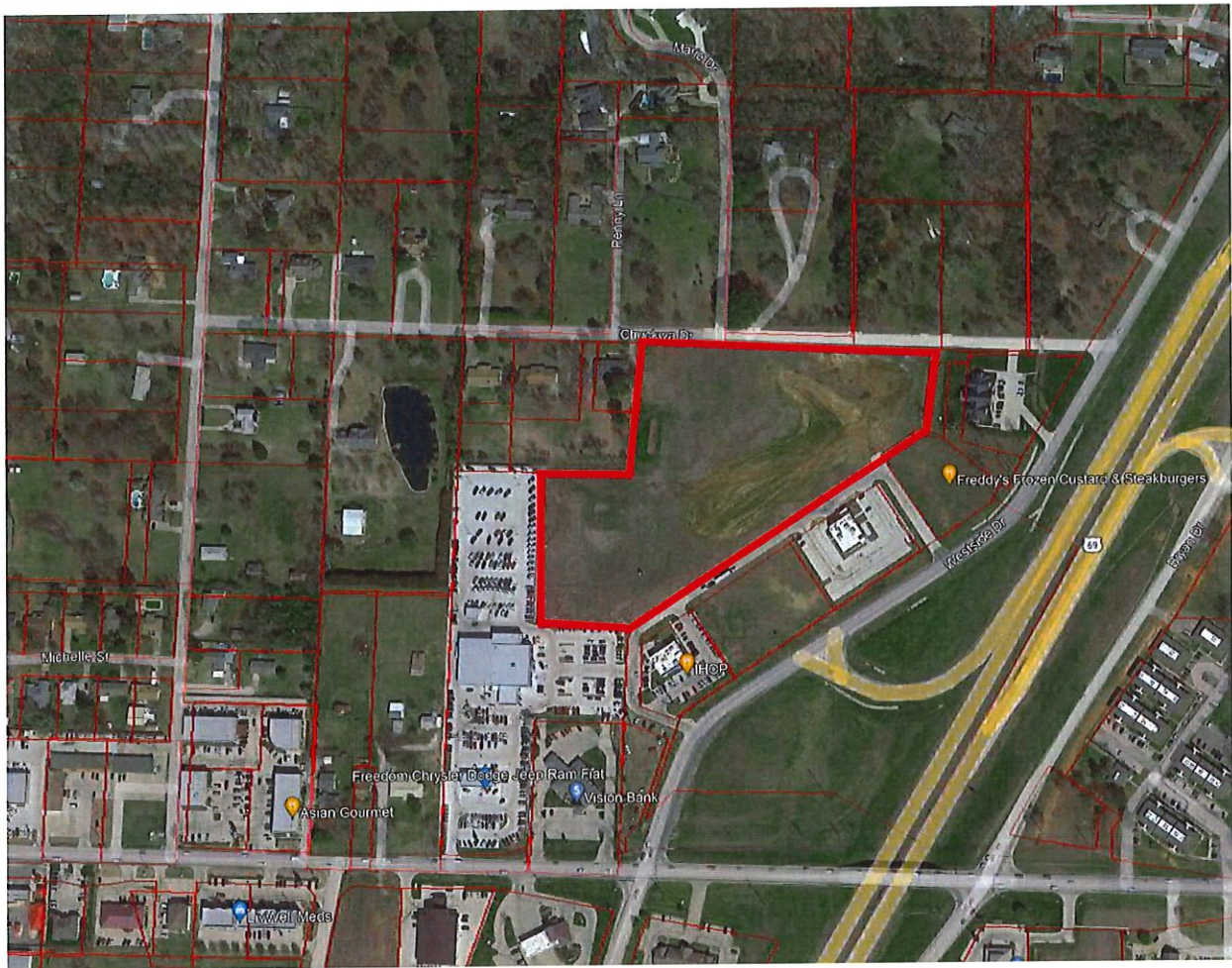
The current Future Land Use Map has this area as Commercial; therefore, the re-plat does to appear to be in line with the current Future Land Use map.

The property owner is not attempting to amend or remove any covenants or restrictions that were previously incorporated in the final plat.

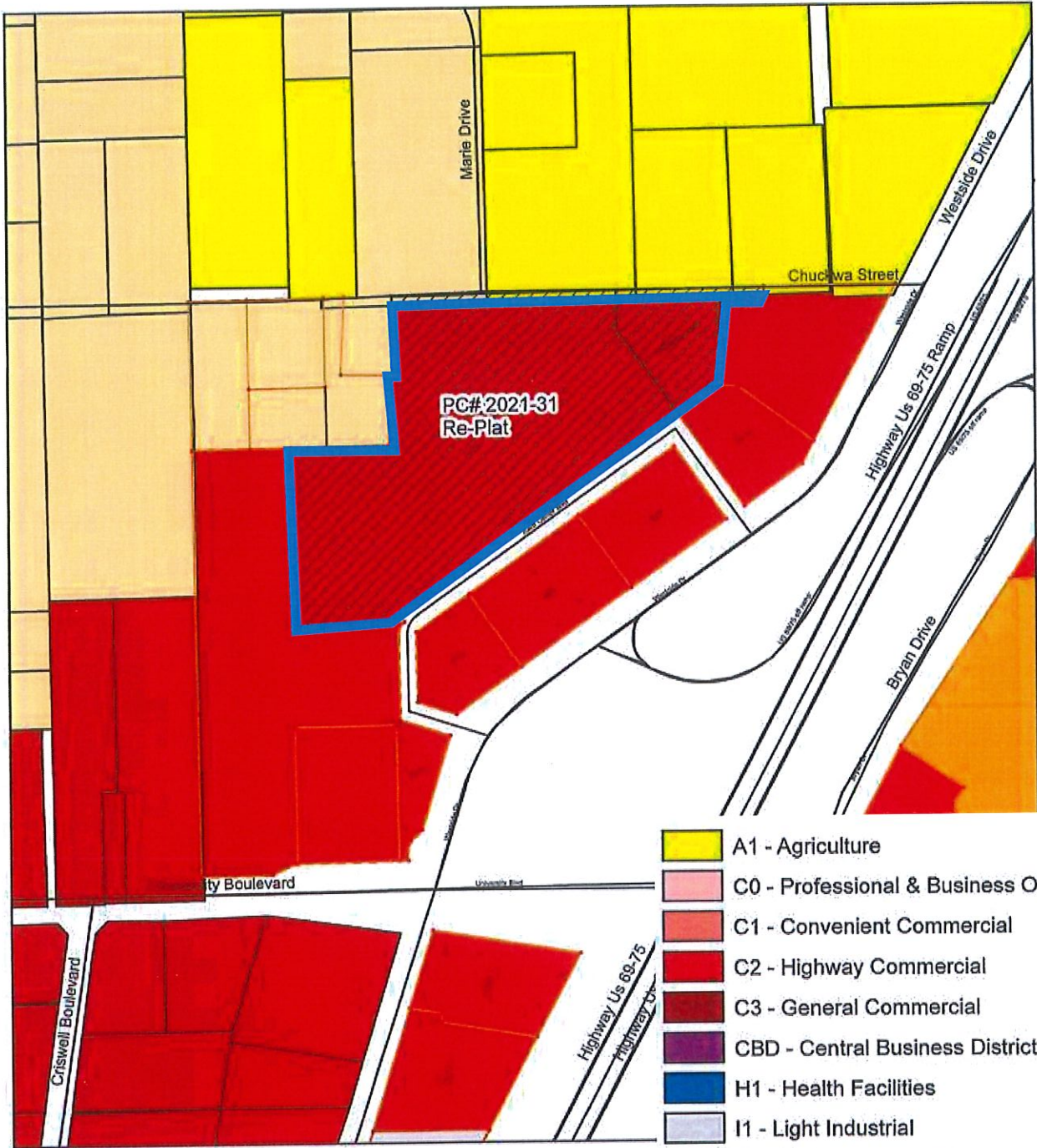
Staff Recommendation: Staff has signed off supporting the re-plat application. The only stipulations listed was to have the signature page signed prior to approval as well as gaining a stormwater permit through the Oklahoma Department of Environmental Quality prior to pulling any building permits.

Required Action: Hold a public hearing and recommend approval or denial of the re-plat request to separate one lot into two lots located near the intersection of Chuckwa Street and Marie Drive. Any specific conditions imposed by the Commission should be read into any approval motion.

Aerial Map

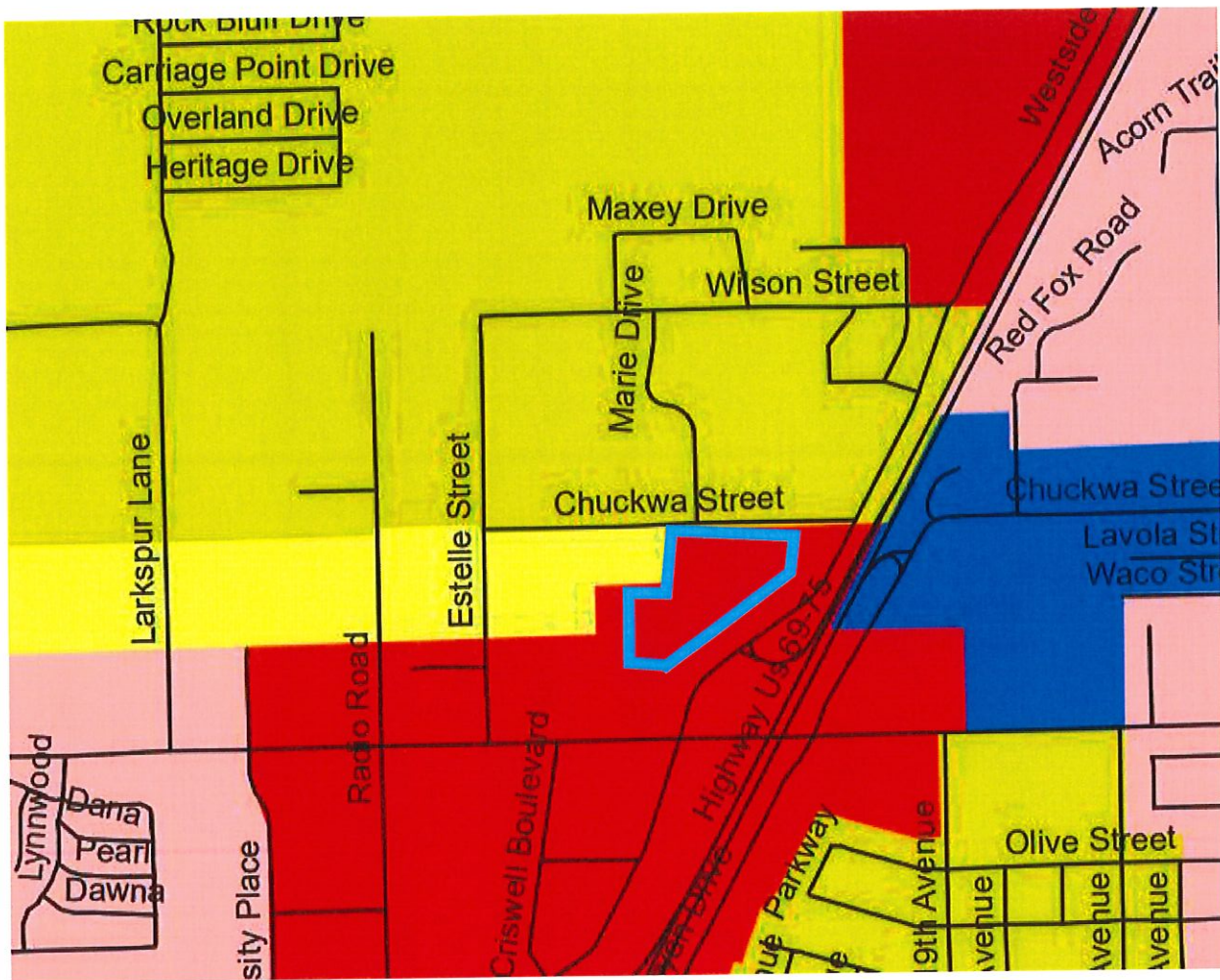


Zoning Map



- A1 - Agriculture
- C0 - Professional & Business Office
- C1 - Convenient Commercial
- C2 - Highway Commercial
- C3 - General Commercial
- CBD - Central Business District
- H1 - Health Facilities
- I1 - Light Industrial
- I2 - Medium Industrial
- R1 - Single Family Residential
- R2 - Two Family Residential
- R3 - General Residential - Multi-Family

Future Land Use Map



Location is approximate

Future Land Use

- City
- Recreation
- Agriculture
- Hospital/Health
- CBD
- Industrial
- Commercial
- Mixed Use - Commercial/Industrial
- Mixed Use - Commercial/Residential
- Mixed Residential
- Residential - Low Density
- Residential - Low to Medium Density

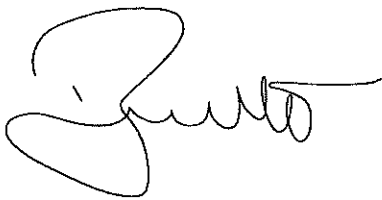
COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET

PC2021-31 Chuckwa & Marie

Department	Signature	Date	Notes
Com Dev Director Danielle O'Neal		11/15/21	need signatures
M&O Randy Cantrell		11-05-2021	
Streets Carl Meade		11-9-21	
Fire Marshall Wade Boyd		11-15-21	None.
Building Official Marc Hall		11-15-21	Will need stormwater permit / SWP3 from CDEA prior to permits being issued. None
Engineer Brandon Wall	see att		

COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET

PC2021-31 Chuckwa & Marie

Department	Signature	Date	Notes
Com Dev Director Danielle O'Neal			
M&O Randy Cantrell			
Streets Carl Meade		11-7-21	
Fire Marshall Wade Boyd			
Building Official Marc Hall			
Engineer Brandon Wall		11/07/21	None.

OFF-SITE IMPROVEMENT. Any public improvement located outside the physical boundaries of the subdivision or addition to be platted.

PERIMETER STREET. Any existing or planned street which abuts the subdivision or addition to be platted.

PRELIMINARY PLAT. A map of a proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land that has a recommendation of the Planning Commission and is approved by the City Council.

PLAT. The plan or map for the subdivision or addition to be filed for record in the County where such subdivision or addition is located.

PLATTING. The act of preparing for approval and processing, pursuant to these regulations, the plan or map for the subdivision or addition to be filed for record in the County where such subdivision or addition is located.

PRIVATE STREETS & ALLEYS. A private vehicular access way shared by and serving two or more lots, which is not dedicated to the public and is not publicly maintained. Private streets and alleys may be established only under the terms of these regulations. The term private street shall be inclusive of alleys.

PROPERTY OWNER. Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land comprising the subdivision or addition, or any representative or agent thereto, who has express written authority to act on behalf of such owner.

PUBLIC IMPROVEMENT. Any drainage way, roadway, parkway, sidewalk, utility, pedestrian way, off-street parking area, lot improvement, open space, or other facility for which the city or other governmental entity will ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established.

REMAINDER. The residual land left after platting of a portion of a tract. Platting of a residual may in some instances be required under the provisions of this ordinance.

REPLATTING. Any change in a map of an approved or recorded plat, except as permitted as an amended plat, that affects any street layout on the map or area reserved or dedicated thereon for public use or any lot line, or that affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions or additions. Replatting includes the combination of lots into a single lot for purposes of development. Replatting does require a recommendation from the Planning Commission and approval of the City Council.

RESUBDIVISION. The replatting of a subdivision plat.

RIGHT-OF-WAY. A parcel of land occupied or intended to be occupied by a street or alley. Where appropriate right-of-way may include other facilities and utilities, such as sidewalks, railroad crossings, electrical, communication, oil or gas, water or sanitary or storm sewer facilities, or for any other special use. The use of right-of-way shall also include parkways and medians outside of pavement. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.

ROADWAY. That portion of any street so designated for vehicular traffic and where curbs are normally placed, means that portion of the street between the curbs.

SECURITY. The letter of credit or cash escrow provided by the applicant to secure its promises in the improvement agreement.

SKETCH PLAT. A sketch preparatory to the preliminary plat or final plat, to enable the property owner to save time and expense in reaching general agreement with the Planning Commission and City Council as to the form of the plat and the objectives of these regulations.

STREET, COLLECTOR. A minor street as designated on the major street plan which collects traffic from other minor streets and serves as the most direct route to a major street or a community facility.

§ 156.047 LOT SPLITS (REPLACES OLD LOT SPLIT 156.044)

(A) ~~Application.~~ Whenever any lot split is proposed to be made, the owner or his agent shall submit to the Community Development Director an application for review and approval which shall consist of:

- (1) ~~An application form as prescribed by the Community Development Director.~~
- (2) ~~Four copies of each certified survey prepared by a land surveyor registered in the State of Oklahoma, showing the dimensioned location of structures and easements thereon, together with the precise nature, location and dimensions of both of the following:~~
 - (a) ~~The proposed new lot; and~~
 - (b) ~~The remaining portion of the original lot after the split.~~
- (3) ~~The Community Development Director may require additional plat information regarding adjacent property, in order to ensure that future access needs can be met.~~

(B) ~~Review and Action by Community Development Director.~~ Lot split requests shall be administered by the Community Development Director or their official designee. The Community Development Director shall not approve a lot split if:

- (1) ~~A new public street or alley is needed; or~~
- (2) ~~All easement requirements have not been satisfied; or~~
- (3) ~~Substandard or unusable lots according to the subdivision, building, and zoning regulations would be created; or~~
- (4) ~~The lot split will create lots violating the "spirit" of the size of lots in the same and surrounding subdivisions; or~~
- (5) ~~The lot has previously been split in accordance with these regulations (requires a minor subdivision).~~

(C) ~~Recording of Lot Split.~~ The lot split approval certificate and the survey plats for both new lots created shall be recorded with the County Clerk by the applicant within 7 days of approval by the Review Committee. One of the four copies shall be returned to the Community Development Department 7 within 7 days of its recording with the County Clerk.

(D) ~~Appeal.~~ In the event of denial by the Community Development Director, the application for a lot split may be submitted to the Planning Commission, for a fee as set by the City Council by motion or resolution, as a regular agenda item for their review, modification, approval or denial. In the event of denial by the Planning Commission, the application for a lot split may be submitted to the City Council, for a fee, as a regular agenda item for their review, modification, approval or denial.

§ 156.048 REPLATTING OF LAND

(A) *Replat Required.* Unless otherwise expressly provided for herein, a property owner who proposes to replat any portion of an already approved final plat, other than to amend or vacate the plat, must first obtain approval for the replat under the same standards and by the same procedures prescribed for the platting of land by these regulations. The Community Development Director may waive or modify requirements for a sketch plat under circumstances where the previously approved sketch plat is sufficient to achieve the purposes set forth in these regulations. **Replats shall include all of the same information as previously described platting procedures.**

(B) *Replatting Without Vacating Preceding Plat.* A replat of a final plat or portion of a final plat may be recorded and is controlling over the preceding plat without vacation of that plat if the replat:

- (1) Is signed and acknowledged by only the owners of the property being replatted;

(2) Is approved, after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard, by the Planning Commission and City Council; and

(3) Does not attempt to amend or remove any covenants or restrictions previously incorporated in the final plat.

(C) Additional Requirements for Certain Replats.

(1) A notice of the public hearing shall be published in an official paper or a newspaper of general circulation in the city at least 15 days prior to the date of the public hearing. Notice shall be mailed to all owners of property located within 300 feet of the subject property as provided by a certified abstractor's list at the applicant's cost at least 20 days prior to the hearing;

(2) If the proposed replat requires a variance, and the owners of 20 percent or more of the area of lots to whom notice is required to be given under Subsection (b) file with the Planning Commission and City Council a written protest of the replatting before or at the hearing, approval of the replat will require the affirmative vote of four of the ~~Planning Commission~~ City Council members. In computing percentages of ownership, each lot is considered equal to all other lots regardless of size or number of owners, and the owners of each lot are entitled to cast only one vote per lot. The area of streets and alleys shall be included in computing the percentage of land area.

(3) Any replat which adds or deletes lots must include the original lot boundaries.

§ 156.999 PENALTY.

(A) Except as provided in these regulations and lots of record established prior to the effective date of this ordinance, no building permit shall be issued for any new structure or change, improvement or alteration of any existing structure on any tract of land which does not comply with all of the provisions of this chapter.

(B) Except as provided in these regulations and lots of record established prior to the effective date of this ordinance, the city shall withhold all public improvements and utilities, including the maintenance of streets and the provision of sewage facilities and water service, from all tracts, lots or additions, the platting of which has not been officially approved by the ~~Community Development Director, the Planning Commission, or~~ City Council and for which a certificate of compliance has not been issued pursuant to these regulations.

(B) A violation of this chapter shall be deemed an offense and shall be punishable as provided in § 10.99 and in accordance with applicable state law. Any person, partnership or corporation violating any of the provisions of this chapter upon conviction thereof shall be punished as provided in § 10.99.

(C) The city may issue citations to suspected violators of this chapter, which citations shall state the violation that is alleged, the time of the observation of the offense, any correction of the violation which is sought, the time allowable for the accomplishment of the correction and the further action which will be taken to seek remedy should correction not be accomplished. The issuance of such citations does not preclude the filing of charges in district court, nor shall the issuance of such citations be a mandatory process precedent to the filing of charges in district court.

Subdivision/Plat Application

Petition # PC 2021-31
Fee \$ 300
Expedited Fee \$ _____

Sketch Plat: ☐
Preliminary Plat: ☐
Final Plat: ☐
Re-Plat: ☒

APPLICANT INFORMATION

Name: Carrus Health – Anbu Nachimuthu, Chairman & Executive Officer	Email: anbu@carrushealth.com	Phone #1 (903) 870-2600
Mailing Address: 1810 West U.S. Highway 82		Phone #2
City: Sherman	State: Texas	Zip: 75092
		Fax # (903) 870-2731
Applicant's Interest in Property: Owner		

SURVEYOR INFORMATION

Name: Ed Painter	Email: EdP@estinc.com	Phone #1 (405) 701-1579
Mailing Address: 480 24 th Avenue NW		Phone #2 (405) 307-8378
City: Norman	State: Oklahoma	Zip: 73069
		Fax #
Surveyor Oklahoma License Number: 1782		

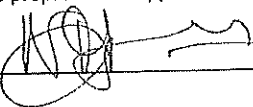
ENGINEER INFORMATION

Name: Jeff Elder	Email: JeffE@estinc.com	Phone #1 (903) 732-6389
Mailing Address: 1500 Clarksville St.		Phone #2 (903) 732-6303
City: Paris	State: Texas	Zip: 75460
		Fax #
Engineer Oklahoma License Number: 28992		

LAND INFORMATION

Legal Description: A PART OF THE S/2 OF THE N/2 OF SECTION 30, TOWNSHIP 6SOUTH, RANGE 9 EAST OF THE INDIAN BASE AND MERIDIAN, BRYAN COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SW CORNER OF THE NW/4 OF SAID SECTION 30; THENCE N 89°07'09" E, ALONG THE SOUTH LINE OF THE NW/4, A DISTANCE OF 1771.73 FEET; THENCE N 00° 53'59" W, A DISTANCE OF 65.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE N 00°54'03" W, A DISTANCE OF 303.61 FEET; THENCE N 89°05'02" E, A DISTANCE OF 10.01 FEET; THENCE N 00°53'59" W, A DISTANCE OF 191.44 FEET; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 39.62 FEET WITH A RADIUS OF 55.00 FEET, WITH A CHORD BEARING OF N 19°44'13" E, WITH A CHORD LENGTH OF 38.77 FEET; THENCE S 89°05'23" W, A DISTANCE OF 244.04 FEET; THENCE N 00°S4'1S" W, A DISTANCE OF 394.7S FEET; THENCE N 89°04'55" E, A DISTANCE OF 220.41 FEET; THENCE N 00°S3'S9"W, A DISTANCE OF 1SS.S3 FEET; THENCE S 89°01'34" E, A DISTANCE OF 11.39 FEET; THENCE N 01°17'07" W, A DISTANCE OF 175.22 FEET; THENCE N g9°04'1011 E, A DISTANCE OF 829.88 FEET; THENCE S 03°19'37" W, A DISTANCE OF 30.22 FEET; THENCE S 89°0S'S9" W, A DISTANCE OF 4S.97 FEET; THENCE S 89°03'20" W, A DISTANCE OF S0.20 FEET; THENCE S 03°11'00" W, A DISTANCE OF 186.32 FEET; THENCE S 86°56'21" E, A DISTNAE OF 49.82 FEET; THENCE S 53°53'59" E, A DISTANCE OF 206.41 FEET; THENCE S 27°47'34" W, A DISTANCE OF 61.52 FEET; THENCE S S4°34'S9" W, A DISTANCE OF 76S.36 FEET; THENCE N 3S02S'OI " W, A DISTANCE OF 200.00 FEET; THENCE S 54° 34'59" W, A DSITANCE OF 145.00 FEET; THENCE S 00°S3'S9" E, A DISTANCE OF 1S4.78 FEET; THENCE S 72°00'38" E. A DISTANCE OF 90.26 FEET; THENCE S 16° 53'37" W, A DISTANCE OF 269.31 FEET; THENCE S 44°06'59" W, A DISTANCE OF 46.37 FEET; THENCE S 00°S2'SI" E, A DISTANCE OF 3S.00 FEET; THENCE S 89°07'09" W, A DISTANCE OF 20.29 FEET BACK TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAIN 15.42 ACRES MORE OR LESS.	Parcel Number: 070045620
Proposed Subdivision Name: Durant Town Center	Current Zone: C-2
Proposed Use: Nursing Home / Hospital	Proposed Zone: C-2
Current Property Owner's Name: Carrus Durant Partners, LLC	

The applicant has prepared this application and supporting documentation and certifies that the facts stated herein and exhibits attached hereto are true and correct.

Applicant:  Date: 10-8-2021

Office Use Only			
Date Filed Initial	Date Payment Received Initial	Notification Mailed Date Initial	Comments
Proof of Publication Received Date Initial		Property Posting Verified Date Initial	
Comprehensive Plan Recommendations			

Staff Recommendation ☐ Approve ☐ Deny	PC Recommendation ☐ Approve ☐ Deny	City Council Action ☐ Approve ☐ Deny	Ordinance #
--	---	---	--------------------

APPLICATION WILL NOT BE CONSIDERED COMPLETE WITHOUT THE FOLLOWING INFORMATION ADDRESSED:

Please describe the nature and operating characteristics of the proposed use:
Long-term adult Care, medically related retail and Hospitality.

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking: Parking will be provided per city codes per the building uses.
2. Screening of offensive areas (trash, loading areas, transformers, utility connections, detention ponds, etc.).
Screening will be provided for all of the above per city requirements.
3. Traffic Impacts:
The north side traffic impact will be minimal on Chuckwa Street and the south side impact will be in line with normal traffic for a C-2 zoning.
4. Protection of Neighborhoods:
This development is proposed on property that is already zoned C2. Based on what could be constructed on the lot, the proposed use will have a minimal impact on the adjacent neighborhoods. The loading area and staff entrances will primarily be on the south side of the building on the opposite side from the residential neighborhood.

What licenses and permits (if any) are required for this proposed use?
A building permit per city requirements.

Please list or describe any other reasons to support this Planned Unit Dev. Permit Application.
This project will be in accordance with the allowed uses in a C-2 zoning per the city of Durant requirements.

1-2018-708928 Book 1482 Pg: 295
11/06/2018 1:43 pm Pg 0295-0298
Fee: \$ 19.00 Doc: \$ 3,625.50
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

WARRANTY DEED



KNOW ALL MEN BY THESE PRESENTS:

That, **ALLEN WHEELER and BETTY WHEELER, husband and wife, and TOPPROP, LLC**, an Oklahoma limited liability company, party of the first part, in consideration of the sum of Ten and more (\$10.00) Dollars, the receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto **CARRUS HEALTH HOLDINGS, LLC**, 1810 W US Hwy 82
Sherman, TX 75092, parties of the second part, the following described real property and premises, situated in Bryan County, State of Oklahoma, to-wit:

A tract of land, being part of an original tract of land described in Book 1405, Page 625 and Book 1405, Page 1072 and Book 1358, Page 235 and Book 1242, Page 181, in a part of SE/4 NW/4 of Section 30, Township 6 South, Range 9 East of the Indian Meridian and Base Line, Bryan County, Oklahoma being more particularly described by metes and bounds with a Base Grid Bearing being North 89 degrees 04 minutes 10 seconds East, based on the Oklahoma State Plane Coordinate System (NAD 83), along the North line of the N/2 NW/4 SE/4 NW/4 of Section 30, Township 6 South, Range 9 East, more particularly described as:
Commencing at the Northwest corner of the SE/4 NW/4 of said Section 30; Thence North 89 degrees 04 minutes 10 seconds East, along the North line of the SE/4 NW/4 of said Section 30, a distance of 300.60 feet to the Northeast corner of a tract of land described in Book 1447, Page 43 in the office of the Bryan County Clerk, said point being the True Point of Beginning; Thence North 89 degrees 04 minutes 10 seconds East, continuing along the North line of the SE/4 NW/4 of said Section 30, a distance of 45.30 feet; Thence South 02 degrees 43 minutes 02 seconds West a distance of 171.67 feet; Thence South 89 degrees 01 minutes 34 seconds East a distance of 105.86 feet to a point on a Westerly line of Lot D of the Durant Town Center subdivision; Thence South 89 degrees 01 minutes 34 seconds East, along a Northerly line of Lot D of the Durant Town Center subdivision, a distance of 11.39 feet; Thence North 01 degrees 17 minutes 07 seconds West, along a Westerly line of Lot D of the Durant Town Center subdivision, a distance of 175.22 feet; Thence North 89 degrees 03 minutes 44 seconds East, along the North line of the SE/4 NW/4 of said Section 30, a distance of 829.88 feet; Thence South 03 degrees 18 minutes 44 seconds West a distance of 30.32 feet; Thence South 89 degrees 04 minutes 36 seconds West a distance of 96.17 feet to the Northeast corner of the detention pond lot described as being part of the Durant Town Center subdivision; Thence South 03 degrees 11 minutes 00 seconds West, along an Easterly line of the Durant Town Center subdivision, a distance of 186.32 feet; Thence South 54 degrees 34 minutes 59 seconds West, along the South line of the detention pond lot described as being part of the Durant Town Center subdivision, a distance of 884.05 feet; Thence South 00 degrees 53 minutes 59 seconds East, along the South line of Lot D of the Durant Town Center subdivision, a distance of 8.62 feet; Thence South 89 degrees 05 minutes 23 seconds West, along the South line of Lot D of the Durant Town Center subdivision, a distance of 220.38 feet to a point on the Westerly line of the Durant Town Center subdivision; Thence North 00 degrees 54 minutes 15 seconds West, along the Westerly line of the Durant Town Center subdivision, a distance of 394.75 feet to a point on a tract of land described in Book 1405, Page 625 in the office of the Bryan County Clerk; Thence South 89 degrees 04 minutes 55 seconds West, along the South line of a tract of land described in Book 1405, Page 625 in the office of the Bryan County Clerk, a distance of 90.17 feet to the Southwest

Documentary Stamps \$ 3625.50

STATE OF OKLAHOMA
Bryan County

corner of a tract of land described in Book 1405, Page 625 in the office of the Bryan County Clerk; Thence North 00 degrees 54 minutes 19 seconds West, along the West line of a tract of land described in Book 1405, Page 625 in the office of the Bryan County Clerk, a distance of 132.80 feet to a point on the South line of a tract of land described in Book 1447, Page 43 in the office of the Bryan County Clerk; Thence North 89 degrees 04 minutes 10 seconds East, along the South line of a tract of land described in Book 1447, Page 43 in the office of the Bryan County Clerk, a distance of 170.33 feet to the Southeast corner of a tract of land described in Book 1447, Page 43 in the office of the Bryan County Clerk; Thence North 00 degrees 54 minutes 07 seconds West, along the East line of a tract of land described in Book 1447, Page 43 in the office of the Bryan County Clerk, a distance of 197.50 feet back to the True Point of Beginning.

LESS AND EXCEPT all oil, gas, and other minerals outstanding of record and
LESS AND EXCEPT all other oil, gas, and other minerals which are hereby
specifically reserved unto Grantors.

Subject to the attached Deed Restrictions;

R.S. \$3,625.50

together with all the improvements thereon and the appurtenances thereunto belonging,
and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto parties of the second
part, their grantees and the heirs and grantees of the survivors, forever, free, clear and
discharged of and from all former grants, titles, charges, taxes, judgments, mortgages and
other liens and encumbrances of whatsoever nature.

SIGNED AND SEALED this the 2nd day of November, 2018.


ALLEN WHEELER


BETTY WHEELER

TOPPROP, LLC


By: Allen Wheeler, Manager

VIEW ADDITIONAL LAND RECORDS AT
OKCOUNTYRECORDS.COM

1-2018-708928 Book 1482 Pg: 296
11/08/2018 1:43 pm Pg 0295-0298
Fee: \$ 19.00 Doc: \$ 3,625.50
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

STATE OF OKLAHOMA)

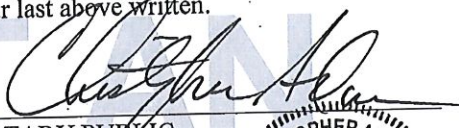
)ss.

ACKNOWLEDGMENT

COUNTY OF BRYAN)

Before me, the undersigned, a Notary Public in and for said County and State, on this 2nd day of November, 2018, personally appeared ALLEN WHEELER and BETTY WHEELER, husband and wife, to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and Seal the day and year last above written.


NOTARY PUBLIC

My Commission Expires: 4/12/2022



STATE OF OKLAHOMA)

)ss.

ACKNOWLEDGMENT

COUNTY OF BRYAN)

Before me, the undersigned, a Notary Public in and for said County and State, on this 2nd day of November, 2018, personally appeared Allen Wheeler, to me known to be the identical person who subscribed the name of the maker thereof to the within and foregoing instrument as its Manager, and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such limited liability company for the uses and purposes therein set forth.

WITNESS my hand and Seal the day and year last above written.


NOTARY PUBLIC

My Commission Expires: 4/12/2022



Deed Presented For Filing By: Bryan County Abstract Company
File Number: 18090128
Name of Title Insurer: First American Title Insurance Company

VIEW ADDITIONAL LAND RECORDS AT
OKCOUNTYRECORDS.COM

1-2018-708928 Book 1482 Pg: 297
11/06/2018 1:43 pm Pg 0295-0298
Fee: \$ 19.00 Doc: \$ 3,625.50
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

DEED RESTRICTIONS:

Buyer will not operate, lease, sell, convey, transfer, or permit the occupancy of the subject property for the operation of a casual dining restaurant similar to an Applebee's Neighborhood Grill & Bar which operates a full bar serving alcoholic beverages, specifically including such similar concepts as "Houlihan's," "Bennigans," "Fuddrucker's," "TGI Fridays," "Houston's," "Chilis," "Olive Garden," "Ruby Tuesday's," "O, Charley's," "Red Robin," "Pizzeria Uno," "99," "Buffalo Wild Wings," "Cheddar's," and "Hops." The above restriction applies only to restaurant establishments with full bar operations. Seller reserves the right to sell or convey any property owned by the Seller to any establishment serving beer or wine as menu items.

Buyer shall not use, lease, or permit others to use or lease that party of subject property for any full service, full menu with breakfast moderately priced restaurant commonly known as a family style restaurant as further described in Nation's Restaurant News that would compete with an International House of Pancakes restaurant, such as, but not limited to The Village Inn, Denny's, Perkins, Bakers' Square, Mimi's Café, Cocos, Cracker Barrel, Marie Callender's, or Bob Evan's Farms. The restriction is a covenant which runs with the title to the Property and is binding on Buyer and their successors and assigns.

Buyer will not operate, lease, sell convey transfer or permit any business that sells new or used automobiles, repairs automobiles or sells tires on the subject property.

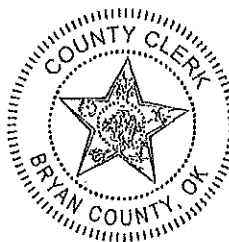
VIEW ADDITIONAL LAND RECORDS AT

OKCOUNTYRECORDS.COM

1-2018-708928 Book 1482 Pg. 298
11/06/2018 1:43 pm Pg 0295-0298
Fee: \$ 19.00 Doc: \$ 3,625.50
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

1-2021-736995 Book 1572 Pg: 292
09/03/2021 10:44 am Pg 0292-0293
Fee: \$ 20.00 Doc: \$ 0.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

QUIT CLAIM DEED



KNOW ALL MEN BY THESE PRESENTS:

That, **ALLEN WHEELER and BETTY WHEELER, husband and wife**, parties of the first part, in consideration of the sum of Ten and more (\$10.00) Dollars, the receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto **CARRUS DURANT PARTNERS, LLC, 1810 W US Highway 82, Sherman, TX 75092**, party of the second part, the following described real property and premises, situated in Bryan County, State of Oklahoma, to-wit:

See Attached Exhibit "A"

No Revenue Stamps required;

together with all the improvements thereon and the appurtenances thereunto belonging.

TO HAVE AND TO HOLD said described premises unto parties of the second part, their grantees and the heirs and grantees, forever.

SIGNED AND SEALED this the 1st day of September, 2021.


ALLEN WHEELER,


BETTY WHEELER

Exempt Documentary Stamp Tax OS
Title 08, Article 32 Section 3201 or
3202, Paragraph 4.

STATE OF OKLAHOMA)

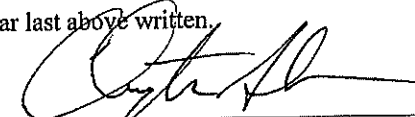
COUNTY OF BRYAN)

)
)ss.
)

ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this 1st day of Septemeber, 2021, personally appeared ALLEN WHEELER and BETTY WHEELER, husband and wife, to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and Seal the day and year last above written.


NOTARY PUBLIC

My Commission Expires: 4/12/2022

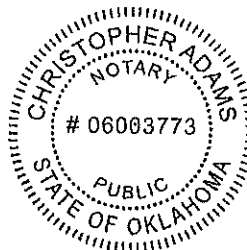
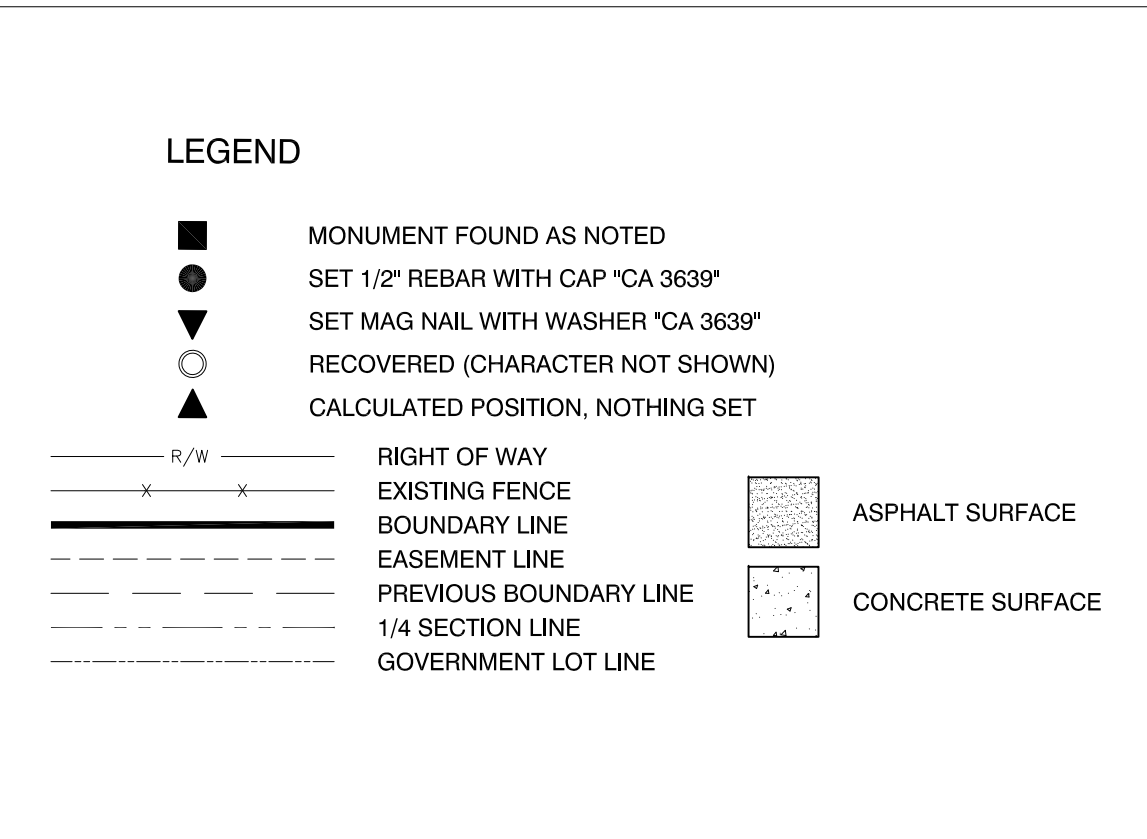
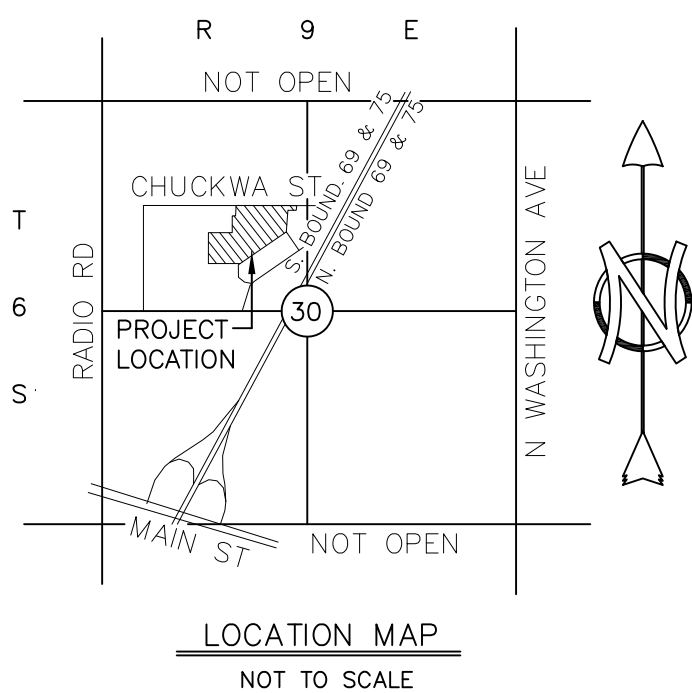


Exhibit "A"

A strip, piece or parcel of land lying in part of the Southeast Quarter of the Northwest Quarter of Section 30, Township 6 South, Range 9 East in Bryan County, Oklahoma, more particularly described as;

Commencing at the Southwest corner of said Northwest Quarter of Section 30; Thence North 89 degrees 07 minutes 09 seconds East along the South line of said Northwest Quarter a distance of 1,786.73 feet; Thence North 00 degrees 53 minutes 59 seconds West a distance of 596.37 feet to the Point of Beginning; Thence South 88 degrees 58 minutes 01 seconds West a distance of 15.00 feet; Thence North 00 degrees 53 minutes 59 seconds West a distance of 8.62 feet; Thence North 54 minutes 34 seconds 59 minutes East a distance of 779.36 feet; Thence South 35 degrees 25 minutes 56 seconds East a distance of 15.00 feet; Thence South 54 degrees 34 minutes 59 seconds West a distance of 771.47 feet; Thence South 00 degrees 53 minutes 59 seconds East a distance of 0.70 feet to the true Point of Beginning.

I-2021-736995 Book 1572 Pg: 293
09/03/2021 10:44 am Pg 0292-0293
Fee: \$ 20.00 Doc: \$ 0.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma



DURANT TOWN CENTER SUBDIVISION PLAT (Dated 7-30-2019):
A PART OF THE S/2 OF THE N/2 OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 9 EAST OF THE INDIAN BASE AND MERIDIAN, BRYAN COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS:
COMMENCING AT THE SW CORNER OF THE NW/4 OF SAID SECTION 30;
THENCE N 89°07'09" E, A DISTANCE OF 1771.73 FEET;
THENCE N 00°53'59" W, A DISTANCE OF 65.00 FEET TO THE TRUE POINT OF BEGINNING;
THENCE N 00°54'03" W, A DISTANCE OF 303.61 FEET;
THENCE N 89°05'02" E, A DISTANCE OF 10.01 FEET;
THENCE N 00°53'59" W, A DISTANCE OF 191.44 FEET;
THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 39.62 FEET WITH A RADIUS OF 55.00 FEET, WITH A CHORD BEARING OF N 19°44'13" E, WITH A CHORD LENGTH OF 38.77 FEET;
THENCE S 89°05'23" W, A DISTANCE OF 244.04 FEET;
THENCE N 00°54'15" W, A DISTANCE OF 394.75 FEET;
THENCE N 89°04'55" E, A DISTANCE OF 220.41 FEET;
THENCE N 00°53'59" W, A DISTANCE OF 155.53 FEET;
THENCE S 89°01'34" E, A DISTANCE OF 11.39 FEET;
THENCE N 01°17'07" W, A DISTANCE OF 175.22 FEET;
THENCE N 89°04'10" E, A DISTANCE OF 829.88 FEET;
THENCE S 03°19'37" W, A DISTANCE OF 30.22 FEET;
THENCE S 89°05'59" W, A DISTANCE OF 45.97 FEET;
THENCE S 89°03'20" W, A DISTANCE OF 50.20 FEET;
THENCE S 03°11'00" W, A DISTANCE OF 186.32 FEET;
THENCE S 89°05'21" E, A DISTANCE OF 49.82 FEET;
THENCE S 53°53'59" E, A DISTANCE OF 206.41 FEET;
THENCE S 27°47'34" W, A DISTANCE OF 61.52 FEET;
THENCE S 54°34'59" W, A DISTANCE OF 765.36 FEET;
THENCE N 35°25'01" W, A DISTANCE OF 200.00 FEET;
THENCE S 54°34'59" W, A DISTANCE OF 145.00 FEET;
THENCE S 00°53'59" W, A DISTANCE OF 154.78 FEET;
THENCE S 72°00'38" E, A DISTANCE OF 90.26 FEET;
THENCE S 10°53'37" W, A DISTANCE OF 269.31 FEET;
THENCE S 44°06'59" W, A DISTANCE OF 46.37 FEET;
THENCE S 00°52'51" E, A DISTANCE OF 35.00 FEET;
THENCE S 89°07'09" W, A DISTANCE OF 20.29 FEET BACK TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAIN 15.42 ACRES MORE OR LESS.

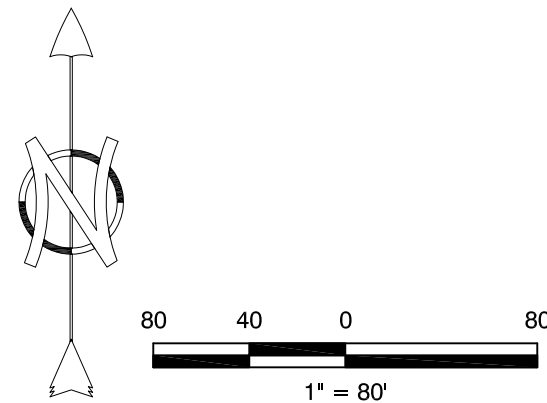
FLOOD STATEMENT:
SUBJECT PROPERTY IS DESIGNATED ZONE X, WHICH HAS A 0.2 PERCENT ANNUAL CHANCE OF FLOODING AND IS DESIGNATED AS AN AREA OUTSIDE THE 100/500 YEAR FLOOD ZONES - PANEL #4001300170E EFFECTIVE DATE JUNE 2, 2011.

POC
Found P.K. Nail
SW Cor. NW/4 Sec.30,
T-6-S, R-9-E, I.M.

SE Cor. Gov't Lot 2
SEC. 30, T-6-S, R-9-E, I.M.

WEST
480 24th Ave. NW, Ste. 244
NORMAN, OK 73069
PH. (405) 307-8378
FAX (405) 701-1965
CERTIFICATE OF AUTHORIZATION NO.: 3639 EXPIRES 06/30/2022 (PE & LS)

HORIZONTAL CONTROL STATEMENT:
POSITIONAL CONTROL FOR THIS SURVEY IS THE NGS OKLAHOMA STATE PLANE COORDINATE SYSTEM, NAD83 (2011), LAMBERT PROJECTION (SOUTH ZONE), PRIMARY CONTROL USED IN THIS SURVEY WAS ESTABLISHED BY DAVID PAGE AS DESCRIBED ON THE ORIGINAL DURANT TOWN CENTER PLAT.



CURVE TABLE				
CURVE	RADIUS	LENGTH	CH. LENGTH	CH. BEARING
1	55.00'	39.66'	38.81'	N 19°45'36" E

SURVEY CONTROL POINTS		
POINT NO.	NORTHING	EASTING
1	250899.1962	2454617.5857
2	248277.7570	2453662.3254

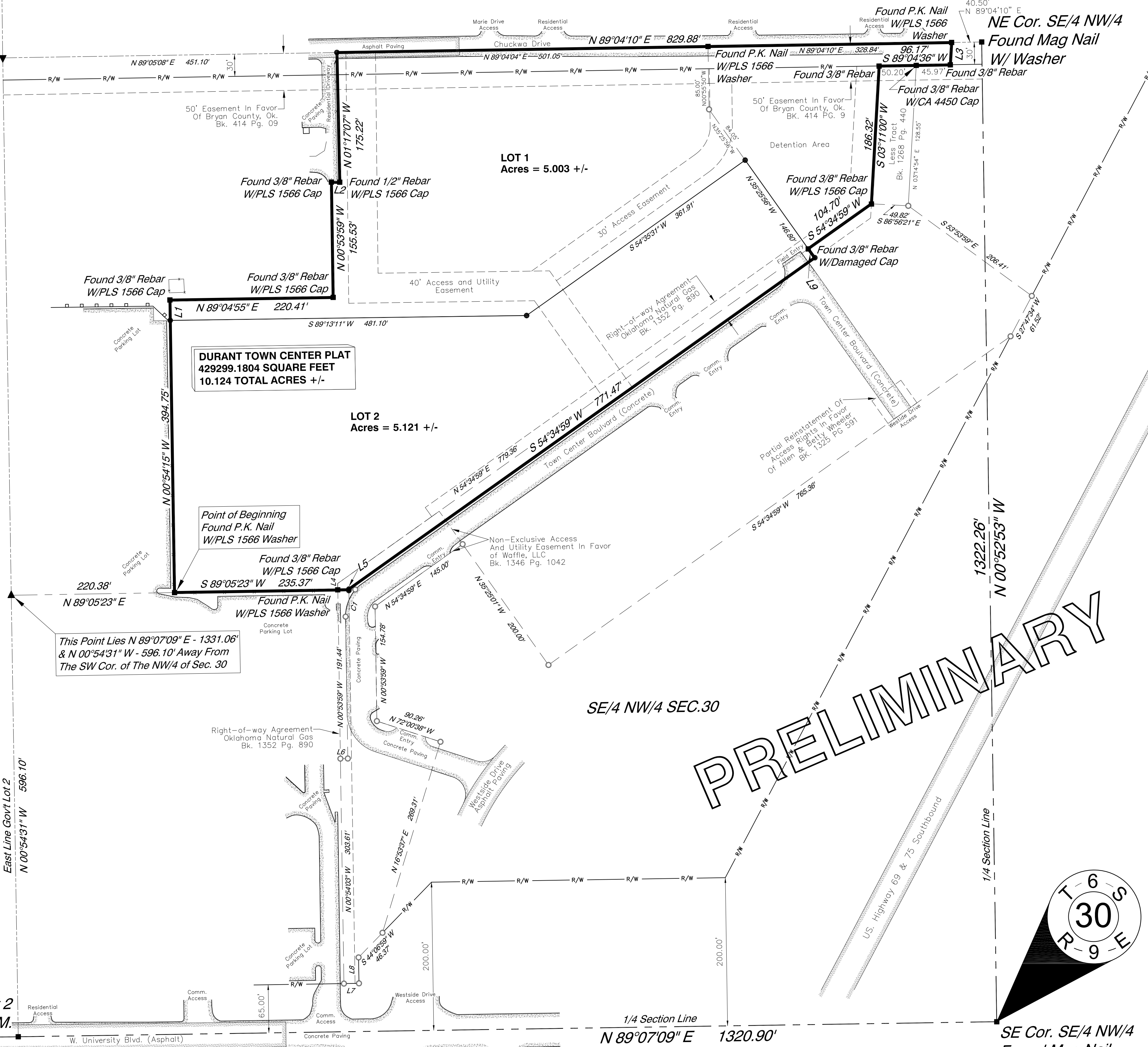
FIELD WORK COMPLETED ON September 08, 2021.

LINE TABLE		
LINE	DISTANCE	BEARING
1	27.53'	N 00°54'15" W
2	11.39'	S 89°01'34" E
3	30.22'	S 03°19'37" W
4	8.62'	S 00°53'55" E
5	0.70'	S 00°53'59" E
6	10.01'	N 89°05'02" E
7	20.29'	S 89°07'09" W
8	35.00'	S 00°52'51" E
9	15.00'	S 35°25'56" E

DURANT TOWN CENTER SUBDIVISION RE-PLAT

SECTION 30, TOWNSHIP 6 SOUTH, RANGE 9 EAST

BRYAN COUNTY, OKLAHOMA



OWNERS CERTIFICATE & DEDICATION
KNOW ALL MEN BY THESE PRESENTS
That **CARRUS DURANT PARTNERS, LLC** being the sole owner of the parent tract in fee simple of the following described property respectively, to wit:
ORIGINAL PARENT TRACTS:
DEED FILED IN BOOK 1242, PAGE 181, BOOK 1358, PAGE 235, AND BOOK 1572, PAGE 293 IN THE BRYAN COUNTY COURTHOUSE
NEW LEGAL DESCRIPTION:
A TRACT OF LAND LYING IN THE SOUTHEAST QUARTER (SE/4) OF THE NORTHWEST QUARTER (NW/4) OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 9 EAST, I.M., BRYAN COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTH WEST CORNER OF SAID NORTHWEST QUARTER, THENCE N 89°07'09" E, A DISTANCE OF 1331.06 FEET; THENCE N 00°54'15" W ALONG THE EAST LINE OF GOVERNMENT LOT 2, A DISTANCE OF 596.10 FEET; THENCE N 89°05'23" E, A DISTANCE OF 220.38 FEET TO THE POINT OF BEGINNING;
THENCE N 00°54'15" W, A DISTANCE OF 394.75 FEET;
THENCE N 89°04'56" E, A DISTANCE OF 220.41 FEET;
THENCE N 00°53'59" W, A DISTANCE OF 155.53 FEET;
THENCE S 89°01'34" E, A DISTANCE OF 11.39 FEET;
THENCE N 01°17'07" W, A DISTANCE OF 175.22 FEET;
THENCE N 89°04'10" E, A DISTANCE OF 829.88 FEET;
THENCE S 03°19'37" W, A DISTANCE OF 30.22 FEET;
THENCE S 89°05'59" W, A DISTANCE OF 45.97 FEET;
THENCE S 00°53'59" W, A DISTANCE OF 186.32 FEET;
THENCE S 54°34'59" W, A DISTANCE OF 104.70 FEET;
THENCE S 35°25'56" E, A DISTANCE OF 15.00 FEET;
THENCE S 54°34'59" W, A DISTANCE OF 771.47 FEET;
THENCE S 00°53'59" E, A DISTANCE OF 0.70 FEET;
THENCE S 89°05'23" W, A DISTANCE OF 235.37 FEET TO THE POINT OF BEGINNING, CONTAINING 10.124 ACRES MORE OR LESS.

We hereby offer for dedication to the public use all streets and avenues, parks and public facilities, and easements as shown on the annexed plat of DURANT TOWN CENTER SUBDIVISION RE-PLAT in Bryan County, Oklahoma.
The transaction of this irrevocable offer dedication shall be consummated upon the execution of the Certificate for Acceptance of Dedication. For the purpose of providing an orderly development of DURANT TOWN CENTER SUBDIVISION RE-PLAT to Durant, Oklahoma, do hereby provide restrictive covenants filed in Book _____, Page _____ of the records in the office of the County Clerk, Bryan County, Oklahoma.

DATE SIGNED _____ OWNER, MEMBER/MANAGER _____

STATE OF OKLAHOMA
COUNTY OF BRYAN

Before me, the undersigned Notary Public, in and for said county and state on this _____ day of _____, 2021 personally appeared to me known to be the identical person who subscribed his name as the maker thereof to the foregoing instrument as the OWNER and acknowledges to me that he executed the same as his free given under my hand and seal the day and year listed above written, therein set forth.

Given under my hand seal the day and year last above written, therein set forth.

My commission expires: _____ Notary Public _____

CERTIFICATE OF SURVEY
I, Edward Glen Painter, a Professional Land Surveyor in the State of Oklahoma, do hereby certify that I have surveyed, subdivided and platted the above tract designated as DURANT TOWN CENTER SUBDIVISION RE-PLAT, an addition to the City of Durant, Bryan County, State of Oklahoma. To the best of my knowledge, the above plat is an accurate representation of said survey. This Plat of Survey meets the Oklahoma minimum standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

Witness my hand and seal this _____ day of _____, 2021.

DATE SIGNED _____ EDWARD G. PAINTER, PLS NO. 1782
CA 3639 Expires 6-30-2022

STATE OF OKLAHOMA
COUNTY OF BRYAN

Before me, the undersigned Notary Public, in and for said county and state on this _____ day of _____, 2021 personally appeared to me known to be the identical person who subscribed his name as the maker thereof to the foregoing instrument as the LAND SURVEYOR and acknowledges to me that he executed the same as his free given under my hand and seal the day and year listed above written, therein set forth.

Given under my hand seal the day and year last above written, therein set forth.

My commission expires: _____ Notary Public _____

DURANT CITY PLANNING COMMISSION APPROVAL

I, _____, Chairman of the Durant Planning Commission for the city of Durant, State of Oklahoma, hereby certify that the said commission duly approved the annexed plat of DURANT TOWN CENTER SUBDIVISION RE-PLAT, on this _____ day of _____, 2021 and voluntary act and deed and as the free and voluntary act and deed of such corporation for the uses and purposes.

Chairman _____

ACCEPTANCE OF DEDICATION BY CITY COUNCIL
Be it resolved by the Council of the City of Durant, Oklahoma, that the dedication shown on the plat of DURANT TOWN CENTER SUBDIVISION RE-PLAT, is hereby accepted. Adopted by the Council of the City of Durant, Oklahoma, this _____ day of _____, 2021.

This approval void if the signature is not endorsed by the City Clerk.
Mayor _____
City Clerk _____

CERTIFICATE FOR CITY OF DURANT ACCEPTANCE
Be it resolved by the Council of the City of Durant, Oklahoma, that the dedication shown on the plat of DURANT TOWN CENTER SUBDIVISION RE-PLAT, is hereby accepted. Adopted by the Council of the City of Durant, Oklahoma.

Adopted by the Council of the City of Durant, Oklahoma this _____ day of _____, 2021.

City Clerk _____

COUNTY TREASURER'S CERTIFICATE
I, _____, the duly elected and qualified County Treasurer of Bryan County, do hereby certify that there are no unpaid taxes up to and including the year _____ on the above described property known as DURANT TOWN CENTER SUBDIVISION RE-PLAT a portion of Section 30, Township 6 South, Range 9 East, Bryan County, State of Oklahoma, and required the security has been deposited in the office of the County Treasurer guaranteeing payment of current years taxes.

Witness my hand this _____ day of _____, 2021

County Treasurer _____

BRYAN COUNTY CLERK CERTIFICATE
STATE OF OKLAHOMA
COUNTY OF BRYAN
This instrument was filed on the _____ day of _____, 2021 at _____ and duly recorded in Book Number _____ Page _____.
Bryan County Clerk _____

DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL

The Oklahoma Department of Environmental Quality certifies that this plat is approved for the construction of a public sewage disposal system and a public water system this _____ day of _____, 2021.

Environmental Specialist _____



Durant.org
Powered by Google

Audrey Hamilton <ahamilton@durant.org>

Re: replatting

1 message

Tony & Beth Robinson <tonybeth.rob@gmail.com>

Mon, Nov 29, 2021 at 2:56 PM

To: planning@durant.org

We would like to protest the replanting of the property near Chuckwa and Marie Drive. This will allow traffic to flow onto Chuckwa, which is a quiet residential street. Please consider our protest, as this will be a huge nuisance for our neighborhood. Tony and Beth Robinson 1965 Marie Dr, Durant, OK 74701

November 29, 2021

Durant Municipal Planning Commission:

I would like to file a protest to Carrus Health's request for approval for a Replat for property located near the intersection of Chuckwa Street and Marie Drive in Durant. The proposed Replat will allow for two entrances (or exits) to the Carrus complex from Chuckwa Street. The main problem with this, for the people who reside on Chuckwa, is a large increase in traffic on the street.

Currently, many people on the northeast and north side of Durant use Chuckwa as a main artery to reach the stores (such as Walmart, Lowes, etc.) which are located west of highway US 75. This will greatly compound the traffic congestion on Chuckwa. It will also make the street more unsafe for the many pedestrians and children that use the street for exercise and riding their bicycles.

One sad thing about this whole project is that when Carrus presented previously they said they wanted to be "good neighbors." They said they kept their property in excellent condition. All summer as we drive into our beautiful, old neighborhood, we have looked at overgrown weeds that are very tall and unsightly. Now this is just temporary; however, the other issues they are trying to implement are permanent and will forever affect this historic neighborhood. If mistakes have been made by others along the way for the last several years to allow this project to happen within such a neighborhood as this, we would appreciate the planning commission to do what you can at this point to screen and protect this little haven of Durant! There should be some way to aesthetically solve this situation. Please help with this solution!

We do protest this request for replat of said property. We look to the planning commission to stand with Durant residents and that you would asked those who want to move in and be a part of the community to find a way to comply to preserve this unique neighborhood.

Please take these remarks under consideration, and I hope that an amicable solution is found for both Carrus Health and the Chuckwa neighborhood.

Sincerely,

William Jerry Polson



PROTEST-REPLAT REQUEST/PUBLIC HEARING 2021-31.

1 message

Nancy Hammel <nancy@adwisegroup.com>

Mon, Nov 29, 2021 at 5:13 PM

To: planning@durant.org

Cc: ogrube@durant.org, Mike Morris <mmorris@durant.org>, dscherrer@durant.org, sbrittingham@durant.org, hmiller@durant.org, jdean@durant.org, jdaltan@durant.org

Planning & Zoning:

As residents of Chuckwa West neighborhood, we are PROTESTING the current Carrus request to Replat property located near the intersection of Chuckwa Street and Marie Drive.

It appears that Carrus is requesting a 40' easement and a 30' easement that join Chuckwa. Typically this is what allows a developer to place roads in those areas. If that is the case, the commercial site would conveniently dump the majority of their auto, emergency, and delivery traffic onto our small residential street. Including adding a major artery from the existing commercial street behind Applebee's right beside the Heater's home connecting to Chuckwa.

Please consider recommending to Carrus that they dump most of their traffic onto the existing commercial street behind Applebee's. That is a reasonable alternative to their current request. Allow two streets from the commercial street into Carrus' development and one street from the development into Chuckwa.

We are requesting strategic long-term planning will be applied to this land development so that the neighborhood and development can co-exist to the benefit of both.

Sincerely,

Rick and Nancy Hammel

2500 Chuckwa Dr.

Durant, OK 74701

C: 972 415 9083



Protest Carrus request for replat

1 message

Dot Phelps <dotphelps12@gmail.com>
To: planning@durant.org

Tue, Nov 30, 2021 at 12:01 PM

To the Durant Planning and Zoning Commission and the Durant City Council :

Please consider this letter in PROTEST to the requested easement from Carrus which is an effort to subvert the spirit of the law, if not the letter of law. These easements would allow building of roads which would create a large dumping of traffic onto a small residential street. This would definitely negatively affect the neighborhood, when a better option would be the existing commercial street. The long term implications of this plan, that we hope you will consider, are denigrating to this neighborhood and would create a needless traffic hazard. There are other ways to develop this land using existing commercial streets, while protecting the small neighborhood.

Big corporations have long taken advantage of the little man. PLEASE, do not let this happen now.

Sincerely,
Pat and Dot Phelps

Sent from my iPad



Public Hearing PC2021-31 / Application of Carrus Health Requesting Approval of Replat / Protest of Kevin Carker

1 message

Dawn Schramm <dschramm@derryberrylaw.com>
To: "planning@durant.org" <planning@durant.org>
Cc: Adam Singer <asinger@derryberrylaw.com>

Tue, Nov 30, 2021 at 5:13 PM

Please see the attached correspondence from Attorney Adam Singer dated November 30, 2021, regarding the above-referenced matter.



Dawn Schramm, LEGAL ASSISTANT to

DOUGLAS A. RICE, ESQUIRE

STEPHEN L. McCALEB, ESQUIRE

KENNETH T. McCONKEY, ESQUIRE

DERRYBERRY & NAIFEH, LLP

4800 North Lincoln Boulevard

Oklahoma City, Oklahoma 73105

(405) 528-6569 - (405) 528-6462 [FAX]

dschramm@derryberrylaw.com

NOTICE: The information contained in this transmission is or may be protected by the attorney-client and/or the attorney work product privilege and is confidential. It is intended only for the use of the individual or entity identified above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination or distribution of the accompanying communication is prohibited. No applicable privilege is waived by the party sending this communication. If you have received this communication in error, please notify us immediately by reply or delete the original message from your system. Thank you, and we apologize for any inconvenience.



LARRY DERRYBERRY (1939-2016)
ROBERT N. NAIFEH, JR. (1957-2020)

DONALD B. NEVARD
DOUGLAS A. RICE
DARREN B. DERRYBERRY
STEPHEN L. McCaleb
J. ERIC TURNER

4800 NORTH LINCOLN BOULEVARD
OKLAHOMA, OKLAHOMA 73105-3321
(405) 528-6569 • (405) 528-6462 fax
www.derryberrylaw.com

JEROME S. SEPKOWITZ
ADAM J. SINGER

OF COUNSEL
KENNETH T. McConkey
PETE G. SERRATA, III

November 30, 2021

VIA EMAIL: planning@durant.org

Danielle O'Neal
Community Development Department
P.O. Box 578
Durant, Oklahoma

Re: *Public Hearing PC2021-31*
Application of Carrus Health Requesting Approval of Replat
Protest of Kevin Carker

To Whom it May Concern:

This Firm represents Kevin Carker. Mr. Carker recently purchased a home located at 2601 Chuckwa Drive, Durant, Oklahoma 74701. The legal description for the property is: The North 197.50 feet of the East 170 feet of the West 300 feet of the N/2 NW/4 SE/4 NW/4 of Section 30, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the recorded plat thereof. The re-plat as proposed by Carrus Health abuts Mr. Carker's home.

Mr. Carker purchased the Home from Matthew and Shanna Cortinas, who in turn purchased the home from TOPPROP, LLC. When TOPPROP purchased the Property, it purchased: The East 170 feet of the West 300 feet of the N/2 NW/4 SE/4 NW/4 of Section 30, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the recorded plat thereof.

It has become apparent that prior to its sale to the Cortinas family, TOPPROP, LLC conveyed only the south half of the property, which caused the Property to be split in two. However, a recent title report establishes that TOPPROP did not conduct a lot split prior to its conveyance of the south half of the property.

Pursuant to Title XV, Chapter 156 § 156.047 of the Durant code, an application is supposed to be made to the Community Development Director prior to any lot split. Accordingly, Carrus Health did not receive legal title to the South 197.50 feet of the East 170 feet of the West 300 feet of the N/2 NW/4 SE/4 NW/4 of Section 30, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma and the attempted conveyance is null and void.

Durant Community Development Department
November 30, 2021
Page 2

Mr. Carker is considering all legal rights to which he may entitled with respect to the above, to include the filing of a lawsuit to quiet title to the property.

Do not hesitate to contact me if you have any questions about the contents of this letter.

Sincerely,

A handwritten signature in blue ink, appearing to be 'AS' with a stylized flourish extending to the right.

ADAM J. SINGER



I protest the plat that Carrus is requesting. Their request for a 40' easement and a 30' easement to a 27'residential street of homes. Chuckwa street is also at a

1 message

HAROLD HADDOCK <hhaddock2015@gmail.com>
To: "To:" <planning@durant.org>

Tue, Nov 30, 2021 at 5:03 PM

Cc: <ogrube@durant.org>, Mike Morris
<mmorris@durant.org>, <dsherrer@durant.org>, <sbrittingham@durant.org>,
<hmiller@durant.org>, <jdean@durant.org>, <jdalton@durant.org>

Subject:
PROTEST-REPLAT REQUEST/PUBLIC HEARING 2021-31.

Planning & Zoning:

"

<planning@durant.org>

Content-Transfer-Encoding: quoted-printable
Content-Type: text/html; charset="utf-8"

```
<html xmlns:o=3D"urn:schemas-microsoft-com:office:office" xmlns:w=3D"urn:sc=
hemas-microsoft-com:office:word" xmlns:m=3D"http://schemas.microsoft.com/of=
fice/2004/12/omml" xmlns=3D"http://www.w3.org/TR/REC-html40"><head><meta ht=
tp-equiv=3DContent-Type content=3D"text/html; charset=3Dutf-8"><meta name=
=3DGenerator content=3D"Microsoft Word 15 (filtered medium)"><style><!--
/* Font Definitions */
@font-face
    {font-family:"Cambria Math";
    panose-1:2 4 5 3 5 4 6 3 2 4;}
@font-face
    {font-family:Calibri;
    panose-1:2 15 5 2 2 2 4 3 2 4;}
/* Style Definitions */
p.MsoNormal, li.MsoNormal, div.MsoNormal
    {margin:0in;
    font-size:11.0pt;
    font-family:"Calibri",sans-serif;}
a:link, span.MsoHyperlink
    {mso-style-priority:99;
    color:blue;
    text-decoration:underline;}
.MsoChpDefault
    {mso-style-type:export-only;}
@page WordSection1
    {size:8.5in 11.0in;
    margin:1.0in 1.0in 1.0in 1.0in;}
div.WordSection1
    {page:WordSection1;}
--></style></head><body lang=3DEN-US link=3Dblue vlink=3D"#954F72" style=3D=
'word-wrap:break-word'><div class=3DWordSection1><p class=3DMsoNormal>25 de=
gree angle to West Side drive.=C2=A0 If a car heading east is sitting on Ch=
uckwa st. waiting for traffic to enter West Side drive, =C2=A0it is very di=
fficult to make a left hand turn from West Side Dr. =C2=A0=C2=A0to Chuckwa =
because of the angle and the waiting vehicle blocks the whole intersection.=
This could cause serious accidents to occur with the added commercial traf=
```

fic created by the two easements of Carrus

Why shouldn't they direct their auto, emergency, and delivery traffic on to a major artery from the existing commercial street behind Applebee's and not put all this traffic on to Chuckwa (narrow 27th St.) in a residential neighborhood.

I am protesting the current Carrus request to replat this property with easements entering on to Chuckwa St.

Harold Haddock

2727 Chuckwa

Sent from Mail for Windows for Windows



PROTEST PC 2021-31

1 message

Lenzie Knight <lenzieknight@gmail.com>

Tue, Nov 30, 2021 at 10:15 PM

To: planning@durant.org, John Dean <jdean@durant.org>

Cc: ogrube@durant.org, mmorris@durant.org, dsherrer@durant.org, sbrittingham@durant.org, hmiller@durant.org

Good evening Danielle,

I am writing to protest the plat as proposed in PC 2021-31. This is simple. Chuckwa Drive is a residential street - which existed (along with a majority of the Chuckwa Hills homes) prior to Highway 69/75 even being constructed.

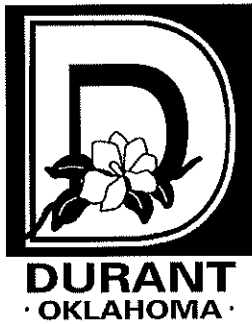
Chuckwa Hills is an established quiet neighborhood. Allowing a developer to come in and dump their commercial traffic onto a residential road is unacceptable. Not only is Chuckwa a narrow residential street, it also is not a through-street. On the west end, Chuckwa connects to an even narrower road, Estelle Street. Surely the developer could redirect their traffic to the existing Town Center Blvd on the south side of their property.

It is not uncommon for developers to come in with big demands. It is not uncommon for neighborhood residents to want to protect the integrity and value of their own investments. There are reasonable solutions to this problem.

The City of Durant leadership needs to begin looking at the broader implications of their decisions. There is a long history fraught with misinformation, manipulation and fraud on this property. I am simply asking the Community Development department to do their job - to find mutually beneficial solutions to the typical problems of growing municipalities - creating safe, effective, responsible solutions to abutting zoning lines.

Enough is enough.

Lenzie Knight
Chuckwa Resident



THE CITY OF DURANT

Office of Community Development

Date: 12/07/2021
To: Planning Commission
From: Danielle O'Neal, Community Development Director
Re: Discussion, Consideration and Possible Action on PC2021-32 Amending Section 157.032 of the Durant Code of Ordinances

Information: After the September Planning Commission meeting, the Commissioners asked staff to research how other cities handle setbacks within commercial and industrial zoning categories. At the October Planning Commission meeting, staff presented the research found and the Commissioners requested that staff draft an ordinance to provide some changes or addition of setbacks particularly within C-3, General Commercial as well as Industrial Districts. Staff was able to look further examine what other cities are doing and put together some changes / additions for setbacks primarily within the Commercial and Industrial Zoning Categories.

Required Action: Hold a public hearing to recommend approval or denial of PC2021-32 Amending Section 157.032 of the Durant Code of Ordinances. Any specific conditions imposed by Commission should be read into any approval motion.

ORDINANCE NO. O-2021-35

**AN ORDINANCE AMENDING DURANT CODE OF ORDINANCES §157.032 DISTRICT REGULATION
AND DECLARING AN EMERGENCY**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DURANT, OKLAHOMA

SECTION 1. Amending the Durant Code of Ordinances §157.032 District Regulations to read as described in Attachment A:

SECTION 2. REPEALER CLAUSE.

All Ordinances or portions of ordinances in conflict with this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 3. EMERGENCY CLAUSE.

For the immediate preservation of the peace, health, and safety of the City of Durant, Oklahoma and the inhabitants thereof, it is necessary that this ordinance shall become operative and go into effect immediately upon its passage, approval and publication.

PASSED AND APPROVED by the Mayor and City Council of the City of Durant this 14th day of December, 2021.

Oden Grube, Mayor
City Of Durant, Oklahoma

ATTEST:

Cynthia J. Price, City Clerk

ATTACHMENT A

§ 157.032 DISTRICT REGULATIONS.

No lot or yard shall be established in any district that does not meet the minimum requirements set forth in the following table. No building or structure shall be erected or enlarged to exceed these regulations, except as elsewhere provided in these regulations.

Zoning Districts	Lot Area Min.	Lot Width at Front Building Line (A)	Building Coverage (%)	Impervious Coverage (%)	Front (B)	Yards Min. Setback Side Interior		Exterior	Rear	Height Max.
						Adj. Res. District	Adj. Non-Res. District			
A-1 Agriculture	5 acres	150'	30% incl. acc. bldg.		50'	25'	25'	25'	50'	35'
R-1 Single-Family Residential	8,400 sq. ft.	70'	30%	None	30' incl. dbl. front.	5'C	5'C	15'	20'	35'
R-2 Two-Family Residential	6,000 sq. ft. (Single-family dwellings)	60'	35%	None	25' incl. dbl. front.	5'C	5'C	15'	20'	35'
	8,000 sq. ft. + (Duplex and two-family dwellings)	80'	35%	None	25' incl. dbl. front.	5'C	5'C	15'	20'	35'
R-3 General Residential (F)	6,000 sq. ft. (Single-family dwellings)	50'	50%	None	25' incl. dbl. front.	5'C	5'C	15'	20'	35'
	8,000 sq. ft. + (Duplex and two-family dwellings)	70'	50%	None	25' incl. dbl. front.	5'C	5'C	15'	20'	35'
	8,000 sq. ft. + 1,200 sq. ft./unit over 2 (All other developments)	80'	50%	75%	25' incl. dbl. front.	15'C or 1'1/1' ht.	15'C or 1'1/1' ht.	15'	20'	35'
R-4 Manufactured Homes	See Regulations									
C-O Prof. & Bus. Offices	10,000 sq. ft.	70'	75%	None	53'	10'	10'	35'D	10'	35'
C-1 Convenience Comm.	12,000 sq. ft.	100'	50%		50'	10'	1'1/1' ht.	15'	20'	35'
C-2 Highway Commercial & Comm. Recreation	10,000 sq. ft.	100'	70%		25'	1'1/1' ht.	None 10'	15'	20'	45'
C-3 General Commercial	None 8,000 sq. ft.	None 80'	None		None 25'	1'1/1' ht.	None 10'	None 15'	None 20'	None 35'
Central Business (CBD)	None	None	None		None	1'1/1' ht.	None	None	None	None

Zoning Districts	Lot Area Min.	Lot Width at Front Building Line (A)	Building Coverage (%)	Impervious Coverage (%)	Front (B)	Yards Min. Setback Side Interior		Exterior	Rear	Height Max.
						Adj. Res. District	Adj. Non-Res. District			
I-1 Light Industrial	None	None	60%	90%	35'	1 1/1' ht.	None 10'	15'	None 20'	None
I-2 Medium Industrial	None	None	60%	90%	30'	1 1/1' ht.	None	15'	None	None
H-1 Health Facilities	None	None	None		25'	1 1/1' ht. E	10	15'E	20'E	25'E

Notes:

- A. For any wedge-shaped lot the required frontage shall be measured at the building line.
- B. Front yard setbacks measured from street right-of-way.
- C. For buildings of more than one story, the minimum width of the side yard on all lots shall be not less than 10 feet. On a lot where the principal use is a nonresidential building there shall be a side yard of not less than one-half the height of the building but in no case less than 15 feet.
- D. If 25% or more of the lots on one side of the street between two intersection streets are improved with buildings all of which have observed an average setback line less than 35 feet, and no building varies more than 5 feet from this average setback, then a building may be erected on the average setback line so established by the existing buildings.
- E. A building or structure may exceed the maximum height regulations by adding one foot onto the required front, side and rear yards for each two feet of additional height.
- F. Townhomes, as described in the International Residential Code currently adopted by the city, shall be classified R-3 and require no side setback limitations when abutting other townhome R-3 property. When adjacent to other property, there shall be a five-foot side setback. For interior lots minimum width shall be 28 feet. End lots must also meet setback requirements of an extra five feet or 15 feet depending on the configuration and adjacent roadways. Minimum total lot area shall be 3,200 square feet.

('93 Code, § 12-220) (Ord. 1040, passed 4-12-83; Am. Ord. 1078, passed 10-8-85; Am. Ord. 1335, passed 5-8-01; Am. Ord. 1411, passed 9-8-03; Am. Ord. 1574, passed 11-13-07; Am. Ord. 1615, passed 5-12-09; Am. Ord. 1755, passed 5-12-15)