The City of Durant encourages participation form 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** | **October 4, 2022**

AGENDA

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 September 6, 2022

2. **Consider Items Removed from Consent**
3. **Information Items**
4. **Administration**
5. **Public Hearings**

   a. Discussion, Consideration and Possible Action on PC2022-23, a Final Plat Request for property located near South 9th Avenue and Rodeo Road.

   b. Discussion, Consideration and Possible Action on PC2022-24, a Rezoning Request from A-1, General Agriculture to C-2, Highway Commercial and Commercial Recreation for property located near Southeast 3rd Avenue and Rodeo Road.

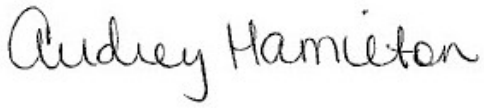
   c. Discussion, Consideration and Possible Action on PC2022-24, a Rezoning Request from A-1, General Agriculture to R-1, Single-Family Residential for property located near Southeast 3rd Avenue and Rodeo Road.

   d. Discussion, Consideration and Possible Action on PC-2022-24, a Final Plat Request for property located near Southeast 3rd Avenue and Rodeo Road.

6. New Business

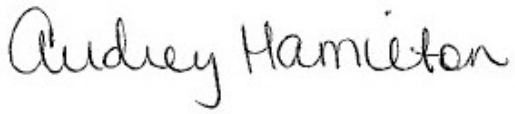
ADJOURNMENT

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 8th day of December, 2021 and that an agenda of said meeting was posted at the place of such meeting at 9:00 a.m. on the 30th day of September, 2022.



_____
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 8th day of December, 2021 and that an agenda of said meeting was posted at the place of such meeting at 04:30 p.m. on the 1st day of September, 2022.



_____
Audrey Hamilton, City of Durant

MINUTES OF THE MEETING OF DURANT PLANNING COMMISSION
September 6, 2022 AT 5:30 PM, Roscoe J. Hatfield
Council Chambers,
300 West Evergreen,
Durant, Oklahoma

SWEARING IN OF DR. THOMAS NEWSOM

CALL TO ORDER

Chairman Jackson called the meeting to order at 5:32 p.m.

INVOCATION/FLAG SALUTE

Chairman Jackson provided the invocation. Vice Chairman Knight led the flag salute.

ROLL CALL

Present:
Planning Commission Chairman Drew Jackson
Planning Commission Vice Chairman Shane Knight
Planning Commissioner Whitney Kerr (appeared at 6:10 p.m.)
Planning Commissioner Thomas Newsom

Absent:
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 August 8, 2022

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

Motion Passed with the following vote:

Ayes: Jackson, Knight, Newsom

Nays: None

Abstain: None

2. Consider Items Removed from Consent

3. Information Items

4. Public Hearings

a. Discussion, Consideration and Possible Action on PC2022-19, a Rezoning Request from I-1 Light Industrial District to the R-3 General Residential District and a Planned Unit Development for property located near Hillcrest Avenue and McLean Road.

Danielle O'Neal reviewed with the Planning Commission members a request from SG Block, Inc., for a Rezoning from the I-1, Light Industrial District to the R-3, General Residential District and a Planned Unit Development for property located near the intersection of Hillcrest Avenue and McLean Road. The applicant approached staff regarding a request for a Rezoning and Planned Unit Development (PUD) to place a multi-family development upon the 40 acres. The applicant states this will be a phased development. The applicant states this will be a gated community with controlled access off McLean and Hillcrest. The aforementioned property is approximately 40 acres total and currently is a vacant piece of property. The surrounding area is made up of a mix of Residential, Industrial and Agriculture Zoned properties. The subject property does meet the requirements for the lot area that is required within the requested Planned Unit Development and rezoning request. The development shows that the entire 40 acres will be developed into a multi-family housing community that is developed into two phases. This development will meet the required setbacks, parking as well as having sidewalks and streetlights as required within ordinance. There does appear to be City water and sewer in the area. The applicant is having discussions with Public Works regarding infrastructure needs within the area. Any infrastructure on the property is expected to be private. Staff members reviewed and signed off on this project. Staff did have a few questions and those are expected to be addressed during the plan submittal stage should this request be approved. Community Development and Neighborhood Services has a comment that the applicant will be required to obtain a Stormwater Permit from the Oklahoma Department of Environmental Quality (ODEQ) and provide a copy of their permit and Stormwater Pollution Prevention Program (SW3P) plans to city staff before a building permit can be obtained. The current Future Land Use Map has this area as industrial land uses; therefore, this PUD and rezoning request is not in line with the Future Land Use Map. As a note, the request is in line with the goals within the Comprehensive Plan. Notifications have been made to the surrounding property owners and at the time of this report staff has received a few phone calls regarding this project. Staff has not received any letters regarding this

request.

Vice Chairman Knight stated that there was not a copy of the phone calls attached in the board packet agenda as indicated. Mrs. O'Neal read a comment in opposition of this item to the Planning Commission.

Dave Rulien spoke in favor of this item.

Joe Fulton spoke in opposition of this item.

Motion was made by Vice Chairman Knight and seconded by Commission Member Newsom to approve the rezoning request and the Planned Unit Development request with the stipulation on the Planned Unit Development request that this is for a sole exemption to allow multiple buildings on one lot.

Motion Passed with the following vote:

Ayes: Jackson, Knight, Newsom

Nays: None

Abstain: None

b. Discussion, Consideration and Possible Action on PC2022-20, a Re-Plat and Rezoning Request from the R-2 Two-Family Residential District to the R-3 General Residential District for property located near South Twelth Avenue and West Texas Street.

Danielle O'Neal reviewed with the Planning Commission members a request from Mike Losawyer, for a Re-Plat and Rezone from R-2, Two-Family Residential District to R-3, General Residential District for property located near South 12th Avenue and Texas Street. The applicant approached staff regarding filing for a rezoning and a re-plat request with the hopes of separating two lots into four lots. The applicant intends to sell the homes that are at this location and while going through that process discovered that these structures sit on two platted lots. State law and City ordinance prohibits the sale of any property that has not been properly subdivided. Furthermore, City ordinances require only one primary structure per lot. This area is a part of the original town site that was platted many years ago and since has had houses built and lot lines altered. As a note, the County Assessor's office shows these houses being built in the 1960s. The applicant previously tried to re-plat the lots; however, the request was denied. This time the applicant is also requesting a rezoning from R-2, Two-Family Residential to R-3, General Residential to go along with the Re-plat. The subject property is approximately 0.60 acres total. The two lots are shown on the plat to be divided into four lots all approximately 0.14 acres apiece. The lot sizes being requested do meet the requirements of the R-3, General Residential zoning category; however, the lots do not meet the setback requirements. Therefore, should the request be approved, the applicant will be required to gain a variance from the Board of Adjustment. The applicant does already have an application submitted. There appears to be City Water

and Sewer in the area; however, easements to provide access to all lots is required and are shown on the plat. The only comments from City staff were regarding the lots needing to go through the Board of Adjustment since they do not meet current setback requirements. The current Future Land Use Map has this area as mixed residential; therefore, this request is generally in line with the Comprehensive Plan. Notifications have been made to the surrounding property owners and at the time of this report, there have not been any call, letters or emails received by staff.

(Commissioner Kerr joined the meeting at 6:10 p.m.)

Mike Losawyer, applicant, spoke in favor of this item.

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

Motion Passed with the following vote:

Ayes: Jackson, Knight, Kerr, Newsom

Nays: None

Abstain: None

c. Discussion, Consideration and Possible Action on PC2022-21, a Rezoning Request from the A-1 General Agricultural District to the R-1 Single-Family Residential District for property located along Cemetery Road.

Danielle O'Neal reviewed with the Planning Commission members a Rezoning request from Holdenmoore, LLC, for a rezoning of the property located along Cemetery Road from A-1, General Agriculture District to R-1, Single-Family Residential District. The applicant approached staff regarding the rezoning of this property with the desire of building a subdivision with common areas and single-family homes in the future. It should be noted that a large portion of the Northern part of the lot is within the floodplain. The aforementioned property is approximately 47 acres and currently is a vacant lot. The area is made up of mostly Agriculture Zoned property with Residential Zoned property to the North. The subject property does meet the requirements for the requested zoning type. There does appear to be City water and sewer in the area. The property will need to go through the proper platting process prior to any piece of the acreage being sold. The current Future Land Use Map has this area as low-density residential uses; therefore, this rezoning request is generally 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 phone calls, emails or letters regarding this rezoning request.

Mike Losawyer spoke in favor of this item.

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

Motion Passed with the following vote:

Ayes: Jackson, Knight, Kerr, Newsom

Nays: None

Abstain: None

d. Discussion, Consideration and Possible Action on PC2022-22, a Rezoning Request from the R-1 Single-Family Residential, C-2 Highway Commercial and Commercial Recreation and the I-1 Light Industrial District to the I-1 Light Industrial District for property located at 1903 North First Avenue.

Danielle O'Neal reviewed with the Planning Commission members a Rezoning request from Floyd Davis and Jeremy Davis, for a rezoning of the property located at 1903 North First from R-1, Single-Family Residential, C-2, Highway Commercial and Commercial Recreation and I-1, Light Industrial Districts to I-1, Light Industrial District. The applicants approached staff regarding the rezoning of this property with the desire of fixing the multiple zoning categories on one property. The multiple zoning categories was discovered when a perspective buyer contacted staff doing due diligence on the property. The aforementioned property is approximately 2.5 acres and currently has a self-storage facility on the lot. The area is made up of a mix of Commercial, Industrial, Agriculture and Residential Zoned property. The subject property does meet the requirements for the requested zoning type. As shown below a self-storage facility is allowed by right within the light and medium industrial (I-1 & I-2) zoning categories and allowed with a Conditional Use Permit in the C-2, Highway Commercial and Commercial Recreation, and C-3, General Commercial Districts. The current Future Land Use Map has this area as commercial and residential mixed-use; therefore, this rezoning request is not generally 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 phone calls, emails or letters regarding this rezoning request.

Russ Parker spoke in favor of this item.

Brad Baheri spoke in favor of this item.

Motion was made by Vice Chairman Knight and seconded by Commission Member Kerr to recommend a C-2 zoning classification over the entire property as opposed to the I-1 that was requested for the property.

Motion Passed with the following vote:

Ayes: Jackson, Knight, Kerr, Newsom

Nays: None

Abstain: None

5. New Business

There was no new business.

ADJOURNMENT

Vice Chairman Knight moved to adjourn the meeting.

Motion Passed with the following vote:

Ayes: Jackson, Knight, Kerr, Newsom

Nays: None

Abstain: None

The City of Durant

Memorandum

Date: 10/4/2022
To: Mayor and City Council
From:
Re: Information Items

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

The City of Durant

Memorandum

Date: 10/4/2022
To: Mayor and City Council
From:
Re: Administration

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

THE CITY OF DURANT
Office of Community Development

Date: 10/04/2022
To: Planning Commission
Case: PC 2022-23
From: Danielle O'Neal, Community Development Director
Re: Final Plat Request for property located near South 9th and Rodeo Rd.

Request: Consider a request from Sunstar, LLC, for a Final Plat for property located near South 9th and Rodeo Road.

Current Zoning: R-1, Single-Family Residential

Surrounding Properties:

Direction	Zoning	Use
North	A-1	Vacant Property / Railroad
East	A-1	Large Single Family Lots / Vacant Property
South	R-1 / A-1	Single Family Homes
West	A-1	Railroad

Applicant: Sunstar, LLC

Background: Applicants approached staff regarding filing for a final plat for a housing development that contains approximately 80 lots. The applicant stated that this development would be made up of single-family homes with their own driveways.

Notifications have been made to the surrounding property owners and at the time of this report, staff has not received any letters or phone calls of support or protest regarding this request.

Analysis: The subject property is approximately 24 acres in total, with 80 lots being shown on the final plat. Each of the lots do meet the requirements for the zoning district. The preliminary plat originally showed 85 lots; however, five lots were removed for drainage and because of the sewer line that runs through the property. The applicant stated they are intending each lot will have a single family home with a driveway. The final plat does have covenants listed on the plat.

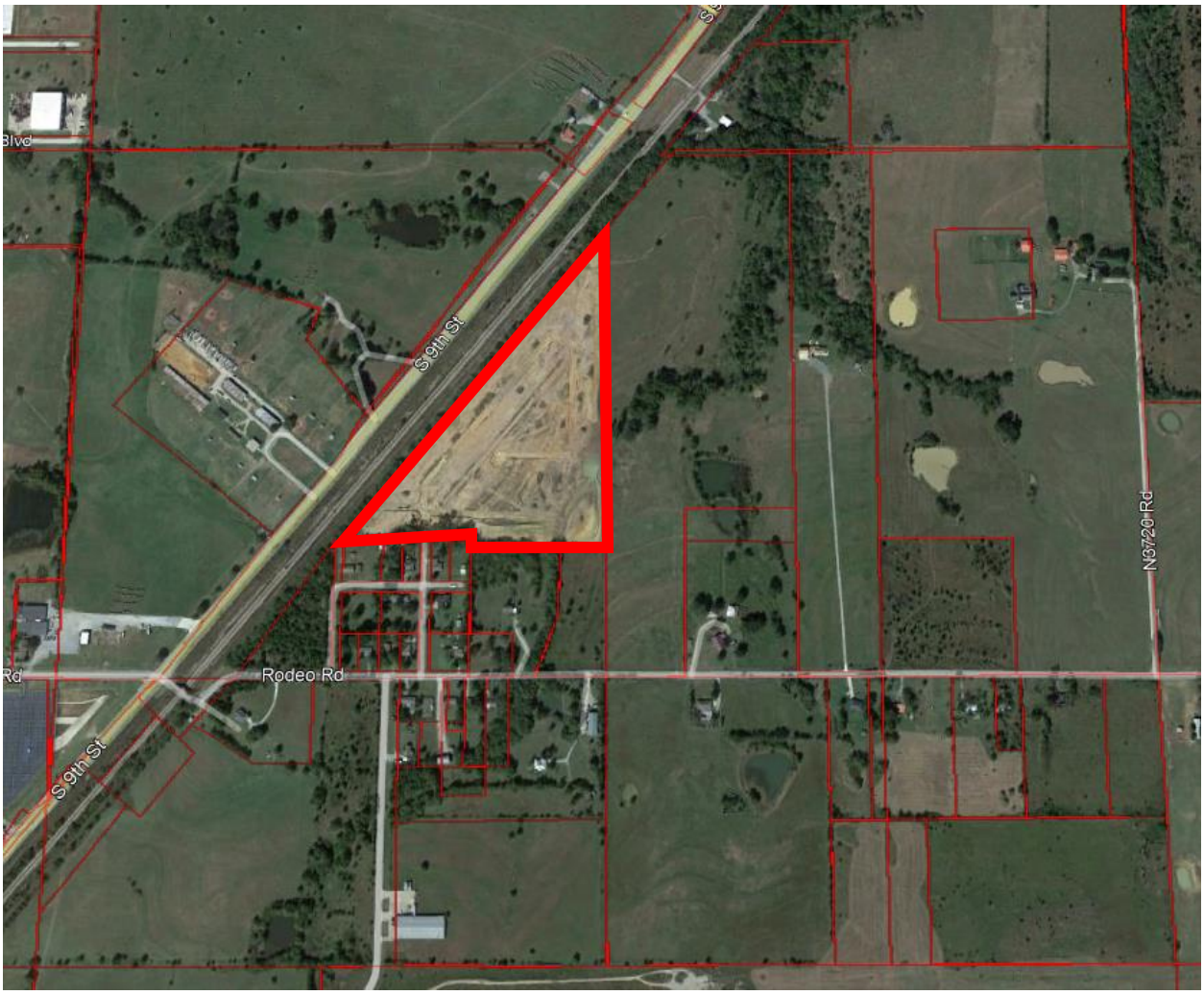
Staff has reviewed this plat and there are no issues expressed. Staff did note a couple of minor changes that need to be made to the plat prior to being signed. Those changes are to the City approval signature blocks and the need to add the name of record owners of adjoining parcels of unplatted land. Those changes are supposed to be completed and returned prior to the Planning Commission meeting.

The current Future Land Use Map has this area as Low-Density Residential; therefore, this request is generally in line with the Future Land Use Map.

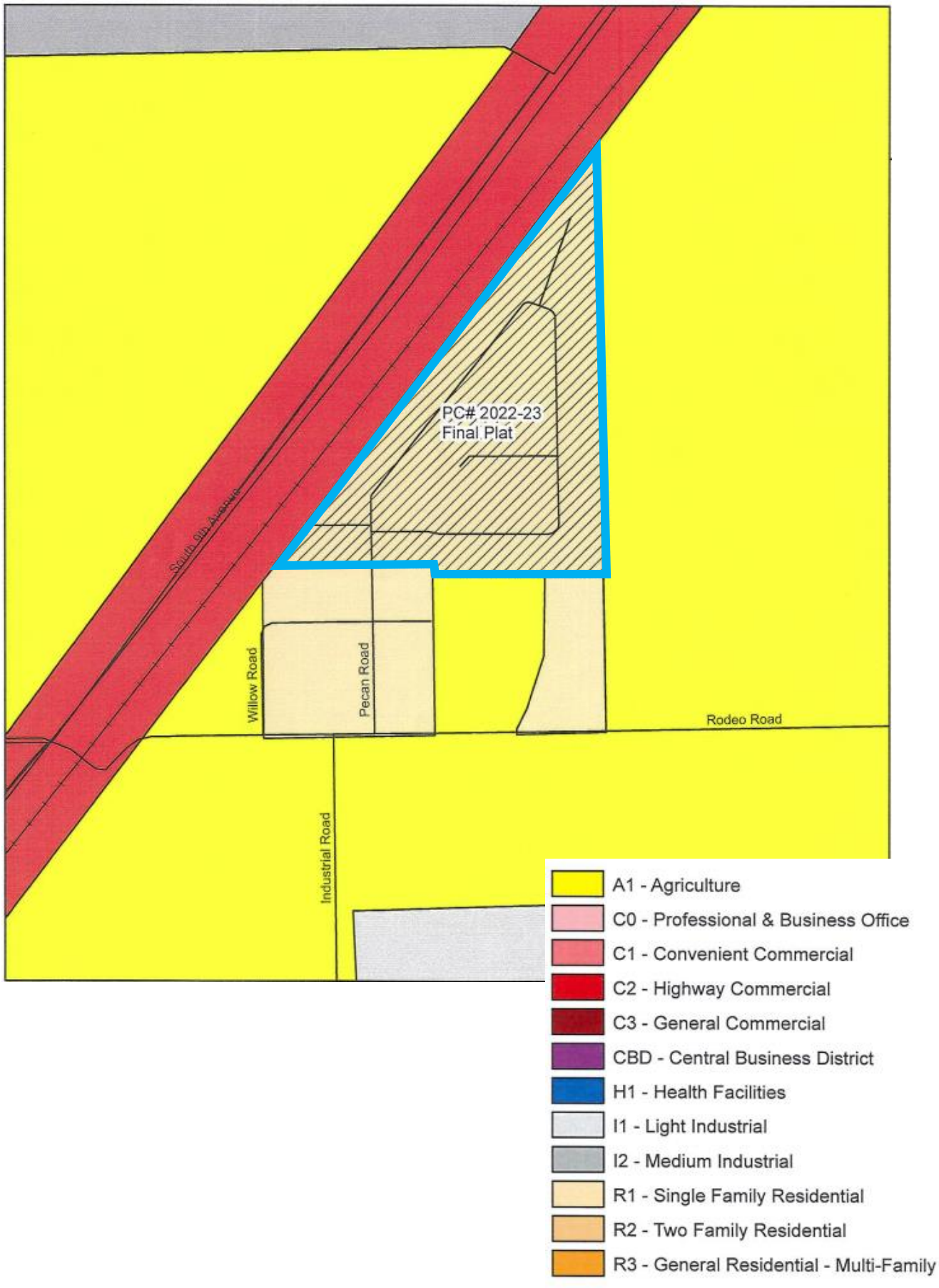
Staff Recommendation: Staff has signed off supporting the approval of the final plat with the note that the signature blocks and adding the names of record owners of adjoining parcels of unplatted land is completed.

Required Action: Hold a public hearing and recommend approval or denial of the Final Plat request for property located near South 9th and Rodeo Rd. Any specific conditions imposed by the Commission should be read into any approval motion.

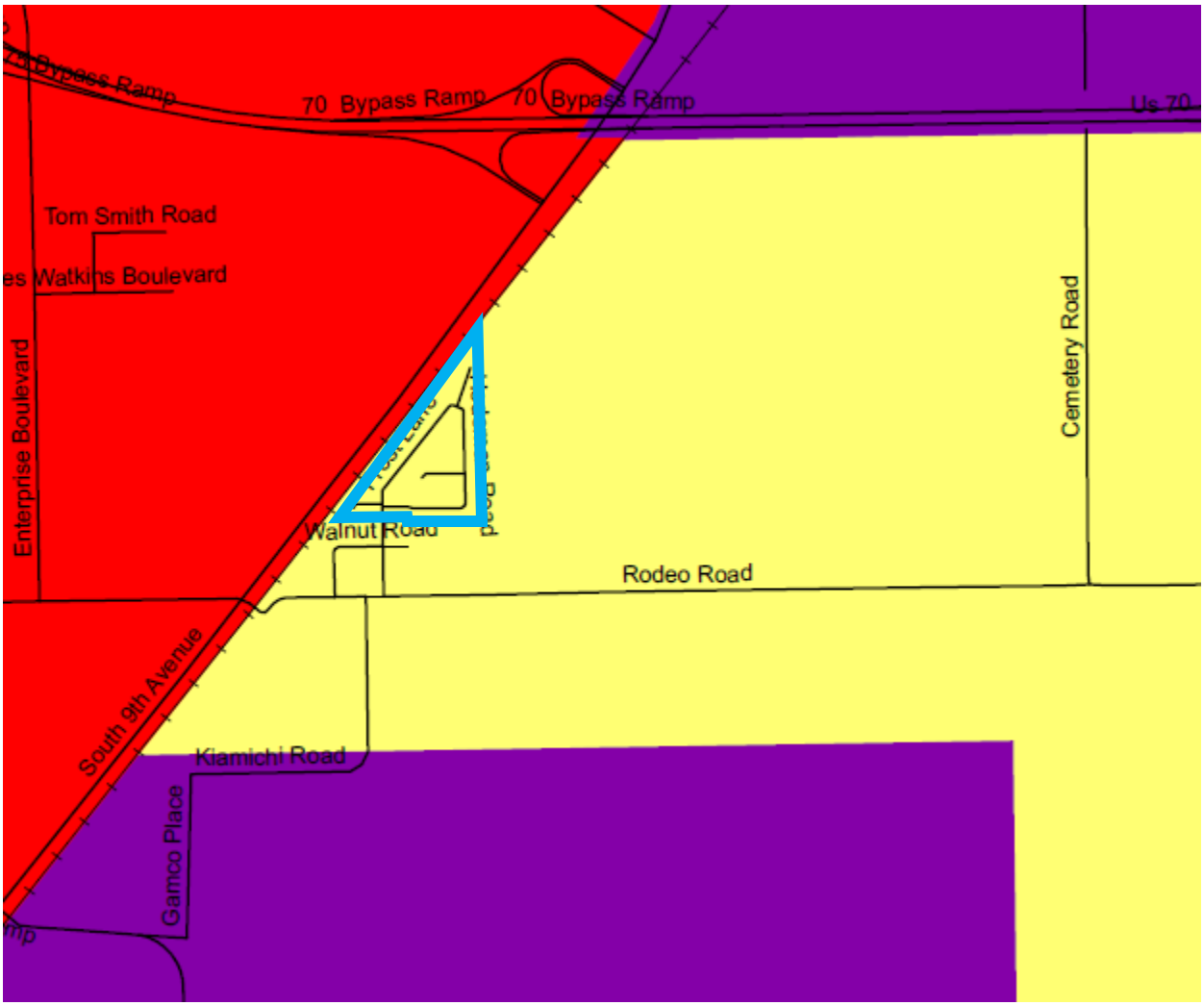
Aerial Map



Zoning Map


PC# 2022-23
Final Plat
South 9th Avenue
Willow Road
Pecan Road
Rodeo Road
Industrial Road
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
- Hosptial/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

Rodeo Hills PC2022-23 Rodeo Rd

Department	Signature	Date	Notes
Com Dev Director Danielle O'Neal		9/22/22	need corrected signature blocks need names of record property owners of adjoining parcels of unplatted land.
M&O Randy Cantrell		09-07-2022	
Streets Carl Meade		9-7-22	
Public Works Director Phillip Hightower	Phillip Hightower	9-7-22	
Fire Marshal Jonathan Strahorn	Jonathan Strahorn	9-7-2022	
Building Official Shawn Jackson ~~Mark Pierce~~		9-7-2022	
Engineer Brandon Wall	per email see attached	9-8-22	

Durant.org
Powered by Google

Danielle O'Neal <doneal@durant.org>

Potential Plats for October Planning Commission

brandon@wallengineering.com <brandon@wallengineering.com> Thu, Sep 8, 2022 at 8:49 AM
To: Danielle O'Neal <doneal@durant.org>

Danielle,

Per our discussion we are good with Rodeo Hills and Bronco Acres.

Thanks,

Brandon Wall, P.E., President

Wall Engineering, LLC

PO Box 1457, Durant, OK 74702 (mailing)

223 N Washington, Durant, OK 74701 (physical)

(c) 580.931.7998

[Quoted text hidden]

Subdivision/Plat Application

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

Petition #_____
Fee $_____
Expedited Fee $_____

APPLICANT INFORMATION

Name: Sunstar, LLC	Email: Idaly@sunviewhomes.com	Phone #1 580-564-2680
Mailing Address: P.O. Box 17666		Phone #2
City: Kingston State: OK Zip: 73439		Fax # 580-498-0099
Applicant's Interest in Property: Owner		

SURVEYOR INFORMATION

Name: Chad Fox	Email: Chad@cdfassociates.com	Phone #1 918-649-3303
Mailing Address: 208 Dewey Ave		Phone #2
City: Poteau State: OK Zip: 74953		Fax # 918-894-6730
Surveyor Oklahoma License Number: 1758		

ENGINEER INFORMATION

Name: Ashley Bice	Email: ashley@bice counsulting.us	Phone #1 501-593-1298
Mailing Address: PO Box 26034		Phone #2
City: Little Rock State: AR Zip: 72221		Fax #
Engineer Oklahoma License Number: 31018		

LAND INFORMATION

Legal Description: See attached	Parcel Number:
Proposed Subdivision Name: Rodeo Hills	Current Zone: R3
Proposed Use: Single family residential	Proposed Zone:
Current Property Owner's Name: Sunstar, 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: 7-27-22

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	PC Recommendation	City Council Action	Ordinance #
___Approve ___Deny	___Approve ___Deny	___Approve ___Deny	

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

Please describe the nature and operating characteristics of the proposed use:
Fully designed single family addition.

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking:
Each home will have a concrete approach and garage parking.

2. Screening of offensive areas (trash, loading areas, transformers, utility connections, detention ponds, etc.)
The decision of the design will keep the intensive areas to a minimum.

3. Traffic Impacts:
The streets will be designed to handle long term wear and tear, and the curb and gutter allows drainage to exit property.

4. Protection of Neighborhoods:
City limits of Durant gives homeowners the protection of the Durant PD.

What licenses and permits (if any) are required for this proposed use?
Surveyors, Abstractors, Engineers, Architects, DEQ, Plumber, Electricians, HVAC

Please list or describe any other reasons to support this application.
The location of the property and all utilities in close proximity.

Bryan County Abstract Company
Serving Bryan County Since 1903

After recording return to:
Sunstar, LLC
P. O. Box 1766
Kingston, OK 73439

I-2021-731279 Book 1553 Pg: 1,148
03/15/2021 1:28 pm Pg 1148-1148
Fee: $ 18.00 Doc: $ 522.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

COUNTY CLERK BRYAN COUNTY, OK

WARRANTY DEED
STATUTORY INDIVIDUAL

Doc Stamps: **$522.00**

That **Kent Daniel and Brenda Daniel, husband and wife, (the "Grantor")**, in consideration of the sum of TEN & NO/100 Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do (es) hereby, grant, bargain, sell and convey unto **Sunstar, LLC, a Limited Liability Company, (the "Grantee")**, the following described real property and premises situate in **Bryan** County, State of **Oklahoma**, to wit:

A part of the SW/4 of Section 7, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, being more particularly described as follows: COMMENCING at the Southeast Corner of the SW/4 of Section 7; Thence North 01 degrees 00 minutes 38 seconds West 614.11 feet along the East line of the SW/4 to the Point of Beginning; Thence North 01 degrees 00 minutes 38 seconds West 1604.72 feet along said East line to the Easterly Right of Way of the Union Pacific Railroad; Thence South 38 degrees 35 minutes 20 seconds West 2020.88 feet along said Right of Way to a ½" iron pin at the Northwest Corner of Glenwood Subdivision to Bryan County, Oklahoma; Thence North 89 degrees 02 minutes 37 seconds East 628.48 feet along the North line of said Glenwood Subdivision to the Northeast corner thereof; Thence South 01 degrees 01 minutes 03 seconds East 39.95 feet along the East line of Glenwood Subdivision; Thence North 89 degrees 36 minutes 05 seconds East 659.70 feet to the Point of Beginning.

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same. SUBJECT TO easements, rights of way, restrictive covenants of record.

TO HAVE AND TO HOLD said described premises unto said Grantee, and to the heirs, successors and assigns forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and delivered this date this **12th** day of **March, 2021**.

Kent Daniel

Brenda Daniel

ACKNOWLEDGMENT - OKLAHOMA FORM

STATE OF OKLAHOMA
Bryan County
Documentary Stamps $ 522.00

State of: Oklahoma)
)**SS.**
County Of: Bryan)

Before me, the undersigned, a Notary Public, in and for said County and State, on this **12th** day of **March, 2021** personally appeared **Kent Daniel and Brenda Daniel, husband and wife** to me known to be the identical person(s) 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

Given under my hand and seal the day and year last above written.

DEAN JESTIS NOTARY # 07009509 EXP. 10-01-2023 NOTARY PUBLIC STATE OF OKLAHOMA

Notary Public

My Commission Expires:

File No.: **20200601119**
Name of Title Insurer: **American Eagle Title Insurance Company**

I-2021-731645 Book 1555 Pg: 542
03/30/2021 8:43 am Pg 0542-0543
Fee: $ 20.00 Doc: $ 0.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

COUNTY CLERK
BRYAN COUNTY, OK

EASEMENT

That, Karen Jacob, **having an address as,** 2606 Rodeo Rd Durant OK, hereinafter designated "Grantor" whether one or more, in consideration of Ten or more dollars ($10.00 or more) in hand paid by Sunstar, LLC. with principal offices at P.O Box 1766 Kingston OK, hereinafter designated "Grantee" receipt and sufficiency of which are hereby acknowledged by said Grantor, does hereby grant and convey unto Grantee its successors and assigns, as easement for the purposes of roadway, utilities, and drainage in and across all of the following described land situated in **Bryan County,** State of Oklahoma, to-wit:

An easement for roads, utilities, and drainage in part of the Southwest Quarter of Section 7, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, being more particularly described as follows:
COMMENCING at the Southeast corner of the Southwest Quarter of Section 7;
thence NORTH 01°00'38" WEST 614.11 feet along the East line of the Southwest Quarter;
thence SOUTH 89°36'05" WEST 659.70 feet to the POINT OF BEGINNING;
thence SOUTH 89°36'05" WEST 40.00 feet to the East line of Lot 1, Block 1 of Glenwood Subdivision;
thence SOUTH 00°57'53" EAST 211.34 feet along said East line;
thence NORTH 89°02'37" EAST 40.00 feet;
thence NORTH 00°57'55" WEST 210.95 feet to the POINT OF BEGINNING.

Together with the right, power, and privilege of constructing, maintaining, repairing, improving and using a roadway together with utilities and all necessary drainage, upon said easement for the sole purposes of access of said improvement to Grantee's property.

Grantee, its successors, assigns, servants, agents, employees, licensees, and invitees, shall have the full and free right and privilege to travel upon, pass and repass along, and use said road in any lawful manner, including the transportation of person, material, supplies, and commodities. It is understood, however, that any such road constructed and / or maintained under the terms of this easement shall become and remain the sole and private property of Grantor, subject to the rights, powers, privileges, and benefits granted herein. Grantee agrees to promptly repair any damage done to the roadway caused by Grantee's exercise of any rights granted herein.

Grantee agrees to hold Grantor harmless and indemnify Grantor against any claims, damages or loss resulting from usage of said easement by Grantee, his successors, assigns, agents, employees, Licensees, and invitees.

Grantor does hereby release Grantee of and from any and all claims, demands, liabilities and causes of action whatsoever for damage to lands, timber, crops, pasture, fences, ponds and all other property and improvements lying within said easement which may arise or result from the construction, use and / or maintenance of the roadway covered by this grant.

To have and to hold unto Grantee, its successors and assigns, the easement, rights, and privileges herein granted and conveyed.

The terms and provisions hereof shall constitute covenants running with the land shall be binding upon the heirs, executors, administrators, successors and assigns of Grantor and shall inure to the benefit of the successors and assigns of Grantee.

All rights and privileges herein granted and conveyed may be assigned in whole or part by Grantee without notice to Grantor.

EXECUTED this the 29th day of MARCH 2021

Grantor:

Karen Jacob

ACKNOWLEDGMENT

This instrument was acknowledged before me, a Notary Public on this day personally appeared Karen Jacob, well known to me to be the person(s) whose names are subscribed to the foregoing instrument and stated to me that they executed the same for the consideration and purposes therein mentioned and set forth.

In testimony whereof, I have hereunto set my hand and official seal this 29th day of March A.D., 2021.

Sabrina N. Kerbo Notary Public

My commission expires: August 16, 2024

SABRINA N. KERBO NOTARY # 12007759 PUBLIC STATE OF OKLAHOMA

I-2021-731645 Book 1555 Pg: 543
03/30/2021 8:43 am Pg 0542-0543
Fee: $ 20.00 Doc: $ 0.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

FINAL PLAT of RODEO HILLS ADDITION

TO THE CITY OF DURANT

in Section 7, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma.

CERTIFICATE AND DEDICATION

That the undersigned, **SUNSTAR, LLC** hereby certify that it is the owner of, and the only person, firm or corporation having any right, title, or interest in and to the land shown on the Final Plat of **RODEO HILLS ADDITION**, an addition to the City of Durant, Oklahoma. That it has caused the same to be platted into lots, blocks, streets and easements as shown on said Final Plat, which said Final Plat represents a careful survey of all property included therein under the Final Plat of **RODEO HILLS ADDITION**, an addition to the City of Durant, Bryan County, Oklahoma.
That the undersigned, further certifies that they are the owner of and the only person, firm, or corporation who have any right, title or interest to the land included in the above mentioned Final Plat, and do hereby provide restrictive covenants filed in Book _____, Page _____ of the records in the Office of the County Clerk, Bryan County, Oklahoma, and it does hereby dedicate public streets and all easements, as shown on said Final Plat, to the use of the public, for public highways, streets, fire protection, utility and drainage easements for their heirs, executors, administrators, successors and assigns forever and have caused the same to be released from all encumbrances to be executed on this _____ day of _____, 2022.

1. All lots within this subdivision shall be used for single family purposes only and no lot shall contain more than one (1) residential structure. No business, commercial or manufacturing enterprise shall be conducted on the property.

2. No animals, livestock, swine, or poultry of any kind shall be raised, bred or kept on any lot. However dogs, cats, or other household pets, but not exceeding three (3) over four (4) months old may be kept provided that they are not kept, bred or maintained for commercial purposes and provided they are not permitted to run at large.

3. No lot shall be used or maintained as a dumping ground or rubbish. Trash, garbage, or other waste shall not be kept in sanitary containers which shall be disposed of promptly. All equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition.

4. The outside finishing of all buildings must be completed within one (1) year after construction begins and no asphalt shingles, imitation brick building paper, insulation board or sheathing, or similar non–exterior material shall be used for the exterior finish of any such building. The exterior finish of the building shall be of wood, exterior siding, logs, brick, stone, or concrete.

5. No old houses may be moved in or used as residential structure.

6. No flat roof houses shall be constructed except as a part of a mansard roof design.

7. All residential structures shall have modern sanitary facilities and there will be no outside toilet facilities. All sewage disposal systems and sanitary facilities shall comply with the public health regulations of the **City of Durant,** the County of **Bryan,** and the State of Oklahoma.

8. All requirements for setback, side yard, and lot minimum square footage will be the same as provided for in the ordinances of the **City of Durant.** For purposes of this covenant, eaves, steps, and open porches shall not be porches shall not be constructed to permit any portion of the building to encroach an adjoining property.

9. The streets, alleys, and easements shown on plat are created for the installation and maintenance of roads and public utilities.

10. All drives located on the property shall be constructed of concrete.

11. These covenants shall remain in effect for a period of twenty–five (25) years from the date set forth below, and may be renewed for successive ten (10) year periods by the vote of a majority of the property owners.

Signed this _____ Day, of _____, 2022.

_____ _____
Preston Holder, Member

_____ _____
Terry Holder, Member

_____ _____
Jason Mauck, Member

_____ _____
Elberg Holder, Member

NOTARY PUBLIC

STATE OF OKLAHOMA
COUNTY OF BRYAN

Before me, the undersigned, a notary public in and for said county and state on the _____ day of _____, 2022, personally appeared Preston Holder, Terry Holder, Elberg Holder and Jason Mauck, to me known to be the identical persons who the name of the maker thereof to the foregoing instrument, and duly acknowledged to me that they executed the same as their free and voluntary act and deed of such partnership for the uses and purposes therein set forth. Given under my hand and seal the day and year last written above.

_____
Notary Public

SURVEYOR CERTIFICATE

I, Chad Fox, a Professional Land Surveyor in the State of Oklahoma, hereby certify that I have made a careful survey of the foregoing described property designated as the Final Plat of **RODEO HILLS ADDITION**, an addition to the City of Durant, Bryan County, Oklahoma, and that the foregoing plat represents said survey and that steel rods, as described on this plat, have been located or placed at all lot corners unless noted. 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.

Witnessed my hand and seal this _____ day of _____, 2022.

_____
Chad Fox, PLS No. 1758
License Expires 31JAN24

NOTARY PUBLIC

STATE OF OKLAHOMA
COUNTY OF LEFLORE

Before me, the undersigned, a notary public in and for said county and state on the _____ day of _____, 2022, personally appeared Chad Fox to me known to be the identical person who the name of the maker thereof to the foregoing instrument as its president, and duly acknowledged to me that he executed the same as his free and voluntary act and deed of such partnership for the uses and purposes therein set forth. Given under my hand and seal the day and year last written above.

_____
Notary Public

DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL

The Oklahoma Department of Environmental Quality certifies that this plat is approved for the construction of a public sewage system and a public water system this _____ day of _____, 2022.

_____
Environmental Specialist
Department of Environmental Quality

COUNTY TREASURER'S CERTIFICATE

I, Prudy Sullivan–Holt, do hereby certify that I am duly elected, qualified, and acting County Treasurer of Bryan County, State of Oklahoma, that the tax records of said county, show all taxes are paid for the year _____, and prior years on the land shown as the Final Plat of Heritage Crossing III, an addition to the City of Durant, Bryan County, Oklahoma, that the required statutory security has been deposited in the Office of the County Treasurer guaranteeing payment of the taxes for the current year.

In witness whereof, said County Treasurer has caused the instrument to be executed at Durant, Oklahoma, this _____ day of _____, 2022.

_____
County Treasurer

CERTIFICATE OF CITY CLERK

I, _____ , City Clerk of the City of Durant, Oklahoma, hereby certify that I have examined the records of said City and find that all deferred payments on unmatured installments upon special assessments have been paid in full and that there are no special assessment procedures now pending against the land shown on the Final Plat of Heritage North, an addition to the City of Durant.

Signed by the City Clerk this _____ day of _____, 2022

_____
City Clerk

CERTIFICATE OF ACCEPTANCE

Pursuant to Durant subdivision regulations, this document was given approval by the Durant City Council at a meeting held on the _____ day of _____, 2022. All of the conditions for approval having been completed, this document is hereby accepted and this certificate executed under authority of such regulations.

_____, 2022
Date of execution

_____ _____
Attest, City Clerk — Mayor

CERTIFICATE OF RECORDING

This document, number _____, filed for record _____ day of _____, 2022, at _____ in Plat Book _____.

_____
County Clerk

PROPERTY DESCRIPTION

Part of the Southwest Quarter of Section 7, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, being more particularly described as follows:
COMMENCING at the Southeast corner of the Southwest Quarter of Section 7; thence NORTH 01°00'38" WEST 614.11 feet along the East line of the Southwest Quarter to the POINT OF BEGINNING;
thence NORTH 01°00'38" WEST 1604.72 feet along said East line to the Easterly Right of Way of the Union Pacific Railroad;
thence SOUTH 38°35'20" WEST 2020.88 feet along said Right of Way to a ½ inch iron pin at the Northwest corner of Glenwood Subdivision to Bryan County, Oklahoma;
thence NORTH 89°02'37" EAST 628.48 feet along the North line of said Glenwood Subdivision to the Northeast corner thereof;
thence SOUTH 01°01'03" EAST 39.95 feet along the East line of Glenwood Subdivision;
thence NORTH 89°36'05" EAST 659.70 feet to the POINT OF BEGINNING.
AND
An easement for roads, utilities, and drainage in part of the Southwest Quarter of Section 7, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, being more particularly described as follows:
COMMENCING at the Southeast corner of the Southwest Quarter of Section 7; thence NORTH 01°00'38" WEST 614.11 feet along the East line of the Southwest Quarter;
thence SOUTH 89°36'05" WEST 619.70 feet to the POINT OF BEGINNING;
thence SOUTH 89°36'05" WEST 40.00 feet to the East line of Lot 1, Block 1 of Glenwood Subdivision;
thence SOUTH 00°57'53" EAST 211.34 feet along said East line;
thence NORTH 89°02'37" EAST 40.00 feet;
thence NORTH 00°57'55" WEST 210.95 feet to the POINT OF BEGINNING.

UTILITIES

1. The sanitary sewer system will be designed by a licensed civil engineer and approved by the Oklahoma Department of Environmental Quality prior to construction.
2. The water system will be designed by a licensed civil engineer and approved by the Oklahoma Department of Environmental Quality prior to construction.
3. Electrical system will be designed by an REA licensed electrical engineer.

STREETS

1. Streets will be designed by a licensed civil engineer and approved by the City of Durant prior to construction.

STORM WATER DRAINAGE AND DETENTION

1. The storm water system will be designed by a licensed civil engineer. The capture, movement, detention and discharge will comply with local floodplain requirements.

NOTICE

Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law and is subject to fines and withholding of utilities and building permits.

BUILDING LIMITS

Front yard 30 ft.
Rear yard 20 ft.
Side yard, interior 5 ft.
Side yard, exterior 15 ft.

1. This survey was performed without the benefit of a current title policy. The record information which is referenced hereon is the result of research performed by this surveyor and is not necessarily complete or conclusive.
2. This survey does not constitute a Title Search by this surveyor of the property shown and described hereon to determine:
   a. Ownership of the tract of land.
   b. Compatibility of this description with those of adjoiners.
   c. Rights of way, easements and encumbrances of record affecting this tract of land.
3. BEARINGS are base on the Oklahoma State Plane Coordinate System NAD 83, OK South Zone and are designated on a line as shown on this drawing as the **East line of the Southwest Quarter of Section 7, Township 7 South, Range 9 East, Bryan County, Oklahoma**which is considered to bear N 01°00'38" W.
4. The word "certify" or "certification" as used herein is understood to be an expression of professional opinion by the surveyor, based upon his best knowledge, information, and belief. As such, it does not constitute a guarantee, nor a warranty, expressed or implied.
5. Property surveyed is not in published flood zone(s) at date of survey per flood map NO.40013C0310E of the Federal Emergency Management Agency, National Flood Insurance Program.
6. Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law and is subject to fines and withholding of utilities and building permits.

OWNER

SUNSTAR, LLC
721 US Highway 70
Kingston, OK 73439

ENGINEER

Ashley Bice, PE
P.O. Box 26634
Little Rock, AR 72221
Ph: 501–593–1298

SURVEYOR

Chad Fox
208 Dewey Ave.
Poteau, OK 74953
Ph: 918–649–3303

UNION PACIFIC RAILROAD RIGHT OF WAY
UNION PACIFIC RAILROAD
S 38°35'14" W 2020.83'
N 01°00'38" W 1604.72'
S 38°35'14" W 159.86'
N 23°10'59" E 89.78'
S 89°02'37" W 148.97'
N 89°02'37" E 628.40'
S 89°02'37" W 85.77'
N 00°58'23" W 95.80'
S 00°57'23" E 180.43'
S 00°57'23" E 233.98'
N 00°58'23" W 102.08'
N 00°58'23" W 109.70'
S 00°23'55" E 109.70'
N 00°23'55" W 82.67'
S 00°23'55" E 76.58'
N 00°23'55" W 33.94'
S 89°36'05" W 193.19'
S 89°36'05" W 431.39'
S 89°36'05" W 499.61'
S 89°36'05" W 92.50'
N 00°58'23" W 92.16'
S 00°58'23" E 91.26'
N 00°58'23" W 90.36'
S 00°58'23" E 120.01'
N 00°58'23" W 120.01

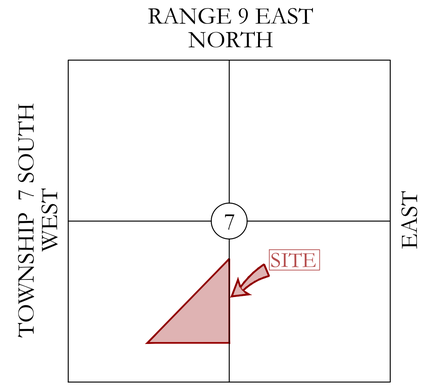
WATER AND SEWER AS-BUILT

CONSTRUCTION PLANS

FOR

RODEO HILLS SUBDIVISION

CITY OF DURANT, OKLAHOMA



LOCATION MAP

STATE MAP

VICINITY MAP

SHEET INDEX

SHEET NO.	SHEET TITLE
C000	COVER
C100	SITE GRADING AND DRAINAGE PLAN
C101 - C104	ROAD PLAN AND PROFILE
C200	SITE SEWER PLAN
C201 - C205	SEWER PLAN AND PROFILE
C300	SITE WATER PLAN
C400	EROSION CONTROL PLAN
C500	SITE DETAILS
C501	UTILITY DETAILS
C600	DRAINAGE AREA MAP

AS-BUILT - 8.29.22

PREPARED FOR:

SUNVIEW DEVELOPMENT
Jay Mauck
721 US-70
Kingston, Oklahoma 73439

PREPARED BY:

LICENSED PROFESSIONAL ENGINEER
ASHLEY BICE
31018
OKLAHOMA
4/28/21

ASHLEY BICE, PE
PO BOX 26634
LITTLE ROCK, AR 72221
ASHLEY@BICECONSULTING.US
(501)593-1298

SURVEY INFORMATION:

BOUNDARY & TOPOGRAPHIC SURVEY INFORMATION PROVIDED BY CDF ASSOCIATES, DATED DECEMBER 16, 2020.

FLOODPLAIN INFORMATION

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Map No. 400013C0310E, with the effective date of June 2, 2011, the property is located in Flood Zone " X ", areas to be determined as outside the 100-year floodway and floodplain. All Floodplain information noted in the plat reflects the status per the FEMA FIRM map that is effective at the time that the plat is recorded. Floodplain status is subject to change as FEMA FIRM maps are updated.

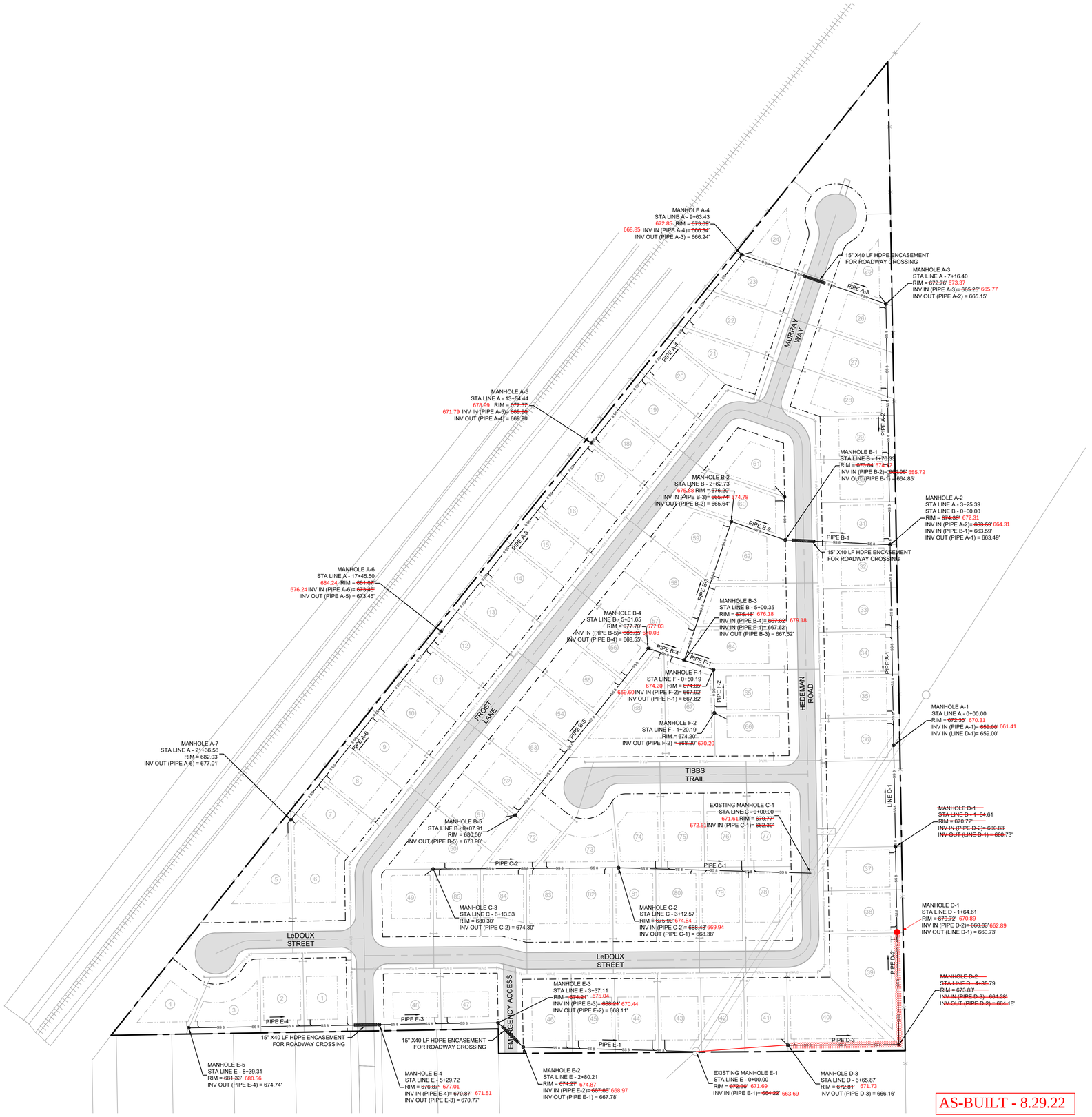
OKIE811

UTILITY PLAN NOTES

1. CONTRACTOR SHALL PROTECT EXISTING UTILITIES NOT DEEMED FOR REMOVAL FROM DAMAGE.
2. ALL UTILITIES SHALL BE FURNISHED AND INSTALLED PER THE REQUIREMENTS OF THE SPECIFICATIONS, AND APPLICABLE REGULATORY AGENCIES.
3. SEE THE DETAILS SHEET FOR SPECIFIC UTILITY DETAILS AND UTILITY SERVICE DETAILS.
4. ALL UTILITIES SHALL TERMINATE 4' FROM THE BUILDING UNLESS OTHERWISE NOTED.
5. ALL UTILITY PIPE BEDDING SHALL BE CONSTRUCTED PER THE REQUIREMENTS OF THE CITY.
6. ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. THE CITY DEPARTMENT OF ENGINEERING MUST BE NOTIFIED 48 HOURS PRIOR TO ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY, OR WORK IMPACTING CITY UTILITIES.
7. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN ALL PERMITS FROM AUTHORITIES AND REGULATORY AGENCIES HAVING JURISDICTION OVER THE SITE, AS REQUIRED, PRIOR TO BEGINNING WORK.
8. ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY.
9. REFER TO THE GEOTECHNICAL REPORT FOR SUBSURFACE CONDITIONS.
10. ALL SEWER MAIN TO BE 8" SDR-26.
11. ALL SEWER SERVICES TO BE 4" PVC.

GENERAL NOTES

1. LOCATIONS OF THE EXISTING UTILITIES ARE BASED ON RECORDS FROM SAID UTILITY COMPANIES AND ARE HORIZONTALLY FIELD LOCATED ONLY. THE CONTRACTORS SHALL BE RESPONSIBLE FOR DETERMINING ACTUAL LOCATION.
2. CONTRACTOR TO UNCOVER AND MARK UTILITY LINES BEFORE CONSTRUCTION.
3. CONTRACTOR SHALL BEAR ALL RESPONSIBILITY AND COST OF REPAIR OR REPLACEMENT OF EXISTING UTILITIES, DAMAGED OR INTERRUPTED AS A RESULT OF THIS CONSTRUCTION PROJECT.
4. CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER AND THE OWNER OF ANY DAMAGED OR INTERRUPTED UTILITIES IMMEDIATELY.
5. ALL WATER LINES AND APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH LOCAL WATER STANDARD PIPELINE MATERIALS AND CONSTRUCTION SPECIFICATIONS, LATEST EDITION.
6. EXISTING UTILITIES TO REMAIN ARE TO BE ADJUSTED TO MATCH PROPOSED GRADE.
7. CONTRACTOR SHALL NOTIFY PROJECT ENGINEER PRIOR TO BEGINNING WORK.
8. ALL AREAS WITHIN THE PAVED AREAS ARE TO RECEIVE A GRAVEL BASE TO PROVIDE EROSION CONTROL IF WORK IS NOT PROGRESSING IN AN ORDERLY MANNER. A RATE OF 135 TONS/ACRE IS TO BE APPLIED WITHIN TWO WEEKS OF FINAL GRADING.
9. ALL AREAS NOT WITHIN THE PAVED AREA ARE TO RECEIVE LOOSE STRAW TO PROVIDE EROSION CONTROL IF WORK IS NOT PROGRESSING IN AN ORDERLY MANNER. A RATE OF 1.5 TONS/ACRE IS TO BE APPLIED WITHIN TWO WEEKS OF FINAL GRADING.
10. AFTER NEW INLETS ARE CONSTRUCTED, INSTALL INLET PROTECTION PER DETAIL.
11. CONTRACTOR WILL CONTROL AND PREVENT OFF-SITE TRACKING OF CONSTRUCTION RUNOFF AND SEDIMENT TO ADJACENT PROPERTY AND PUBLIC ROADS.
12. CONTRACTOR IS TO PROTECT EXISTING STORM DRAINAGE SYSTEM
13. CONTRACTOR TO CONFORM TO ALL CONSTRUCTION STORM WATER AND EROSION CONTROL PERMITTING REQUIREMENTS BY "EPA PHASE II STORM WATER REGULATIONS" AS ADMINISTERED BY THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY. WHERE PERMITTING IS REQUIRED, A COPY OF THE NOTICE OF INTENT SHALL BE PROVIDED TO THE LOCAL MUNICIPAL AUTHORITY.
14. CONTRACTOR SHALL LOCATE ALL EXISTING UTILITIES IN ACCORDANCE WITH THE OKLAHOMA UNDERGROUND FACILITIES DAMAGE PREVENTION ACT. THIS LAW REQUIRES THAT THE CONTRACTOR MAKE A TELEPHONE CALL TO THE OKLAHOMA ONE-CALL SYSTEM AT 1-800-522-6543 AT LEAST TWO WORKING DAYS PRIOR TO EXCAVATION TO ENSURE THAT ANY EXISTING UTILITIES CAN BE LOCATED.
15. CONTRACTOR TO CONSTRUCT ALL ACCESS RAMPS AND PAVING TO ADA STANDARDS. VERIFY
16. TREES TO REMAIN ARE TO BE PROTECTED FROM DAMAGE DURING CONSTRUCTION.
17. EXCESS EXPORTS SHALL BE STOCKPILED AT LOCATION APPROVED BY OWNER AND CONFIRMED BY ENGINEER OF RECORD.



NORTH

80 40 0 80 160

SCALE

SURVEY INFORMATION:

BOUNDARY & TOPOGRAPHIC SURVEY INFORMATION PROVIDED BY CDF ASSOCIATES, DATED DECEMBER 16, 2020.

FLOODPLAIN INFORMATION

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AS-BUILT - 8.29.22

SUNVIEW DEVELOPMENT
Jay Mauck
721 US-70
Kingston, Oklahoma 73439

PREPARED BY:
LICENSED PROFESSIONAL ENGINEER
ASHLEY BICE
31018
OKLAHOMA
4/28/21
ASHLEY BICE, PE
CIVIL ENGINEER
PO BOX 29034
LITTLE ROCK, AR 72221
ASHLEY@BICECONSULTING.US
(501) 593-1266

DATE	BY

REVISIONS AND ISSUES

CONSTRUCTION PLANS FOR:
RODEO HILLS SUBDIVISION
DURANT, OKLAHOMA
SITE UTILITY - SEWER

PLAN DATE: 4/28/2021
DESIGN: CHECK: DRAWN:
PROJECT NO. 21-041
SHEET NO. C200

UTILITY PLAN NOTES

1. CONTRACTOR SHALL PROTECT EXISTING UTILITIES NOT DEEMED FOR REMOVAL FROM DAMAGE.
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3. SEE THE DETAILS SHEET FOR SPECIFIC UTILITY DETAILS AND UTILITY SERVICE DETAILS.
4. ALL UTILITIES SHALL TERMINATE 4' FROM THE BUILDING UNLESS OTHERWISE NOTED.
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8. ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY.
9. REFER TO THE GEOTECHNICAL REPORT FOR SUBSURFACE CONDITIONS.
10. ALL WATER SERVICES TO BE 1" POLY.

WATER PLAN SPECIFIC NOTES

1. TRACER WIRE (SOLID NOT STRANDED) SHALL BE PRESENT ON ALL LINES AND SERVICES AND MUST BE ABLE TO BE LOCATED.
2. TRACER WIRE TO BE PROVIDED BY OWNER.
3. FITTINGS SHALL BE MECHANICAL AND MEGA-LUG ONLY (OR APPROVED EQUAL). NO KNOCK ON FITTINGS.
4. WHEN DEFLECTION LIMITS OF THE PIPING WILL NOT BE EXCEEDED, NO FITTINGS SHOULD BE USED.
5. FORD BRASS OR APPROVED EQUAL SHALL BE USED/APPROVED BY PUBLIC UTILITIES DIRECTOR OR CITY ENGINEER)
6. METERS SHALL BE PURCHASED FROM THE CITY.
7. WHERE ANY POTENTIAL OF CONCRETE THAT COULD TOUCH THE FITTINGS, THE FITTING SHOULD BE COVERED IN VISQUEEN PLASTIC.
8. ALL WATERMAIN TO BE C900 PVC.

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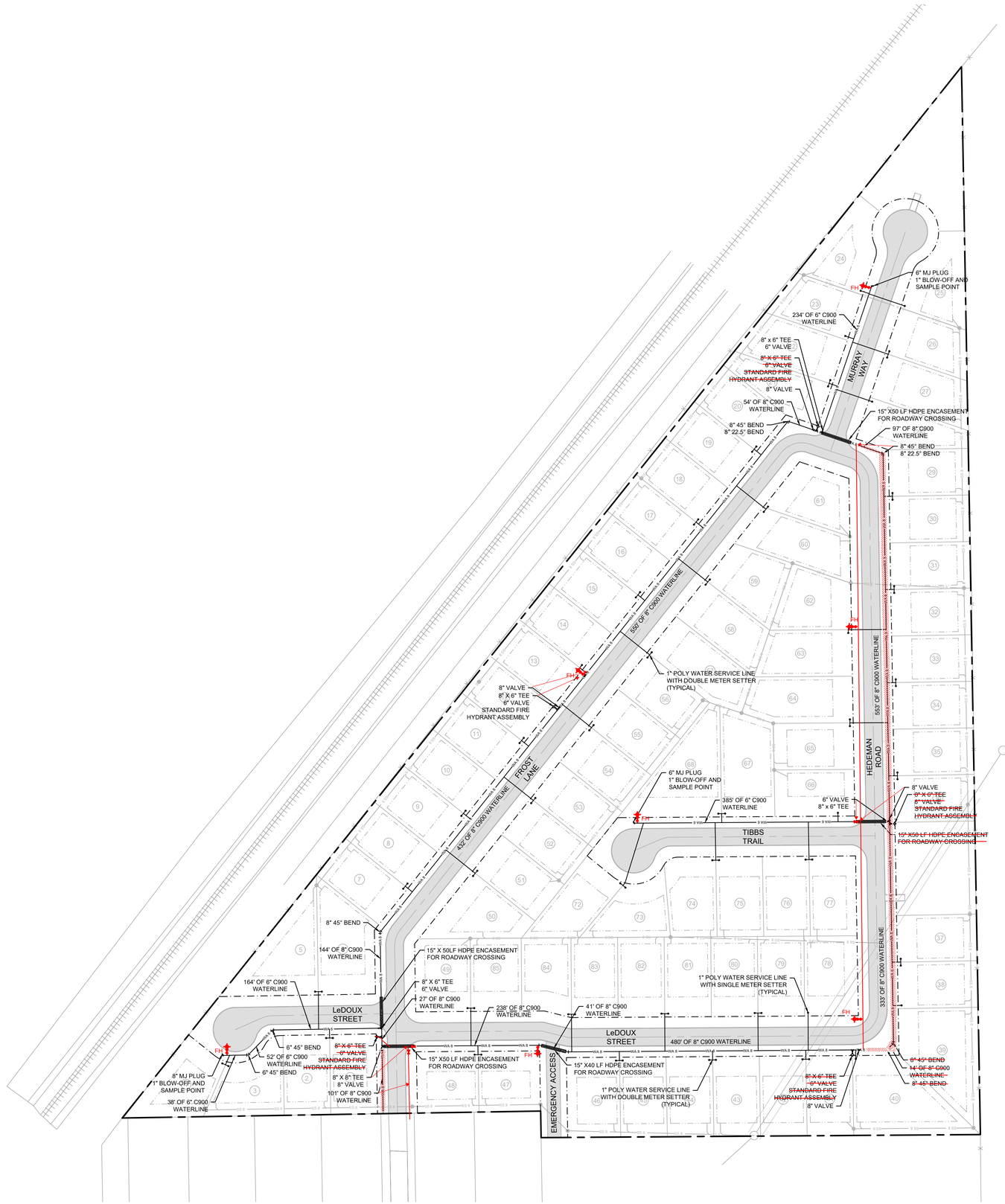

NORTH

80 40 0 80 160

SCALE

SURVEY INFORMATION:

BOUNDARY & TOPOGRAPHIC SURVEY INFORMATION PROVIDED BY CDF ASSOCIATES, DATED DECEMBER 16, 2020.

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AS-BUILT - 8.29.22

SUNVIEW DEVELOPMENT
Jay Mauck
721 US-70
Kingston, Oklahoma 73439

PREPARED BY:

LICENSED PROFESSIONAL ENGINEER
ASHLEY BICE
31018
OKLAHOMA
4/28/21

ASHLEY BICE, PE
CIVIL ENGINEER
PO BOX 25934
LITTLE ROCK, AR 72221
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(501) 593-1266

REVISIONS AND ISSUES	DATE	BY

CONSTRUCTION PLANS FOR:
RODEO HILLS SUBDIVISION
DURANT, OKLAHOMA
SITE UTILITY - WATER

PLAN DATE: 4/28/2021

DESIGN:	CHECK:	DRAWN:

PROJECT NO. 21-041

SHEET NO. C300

THE CITY OF DURANT
Office of Community Development

Date: 10/04/2022
To: Planning Commission
Case: PC 2022-24
From: Danielle O'Neal, Community Development Director
Re: Rezoning Request from A-1, General Agriculture to C-2, Highway Commercial and Commercial Recreation for property located near Southeast 3rd Avenue and Rodeo Road

---

Request: Consider a request from DH Modern Construction, LLP, for a rezoning of the property located near Southeast 3rd Avenue and Rodeo Road

Current Zoning: A-1, General Agriculture

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

Surrounding Properties:

Direction	Zoning	Use
North	A-1	Vacant
West	A-1	Vacant
South	A-1	Single Family Residential

Lot Characteristics (Current Lot):

Width	~ 642 ft.
Depth	~1,222 ft.
Total Area	~18 acres (~784,524 sq. ft.)

Applicant: DH Modern Construction, LLP

Background: The applicant approached staff regarding the rezoning and platting of this property with the desire of building commercial and residential development. Staff published the zoning cases separate from the platting cases in hopes of lessening any confusion. The commercial piece of the development is expected to be a total of approximately 6 acres that will service the residents in that area. The residential piece of the development is expected to be a total of approximately 5 acres and expected to be single-family residential. The remaining approximately 7 acres is expected to remain as agriculture and a buffer to the existing area. The commercial area is expected to be directly on the corner of Southeast 3rd Avenue and Rodeo Road. The residential piece will abut the commercial piece and will face Rodeo Road.

Notifications have been made to the surrounding property owners and at the time of this report staff has not received any phone calls or letters of support or protest regarding this rezoning request.

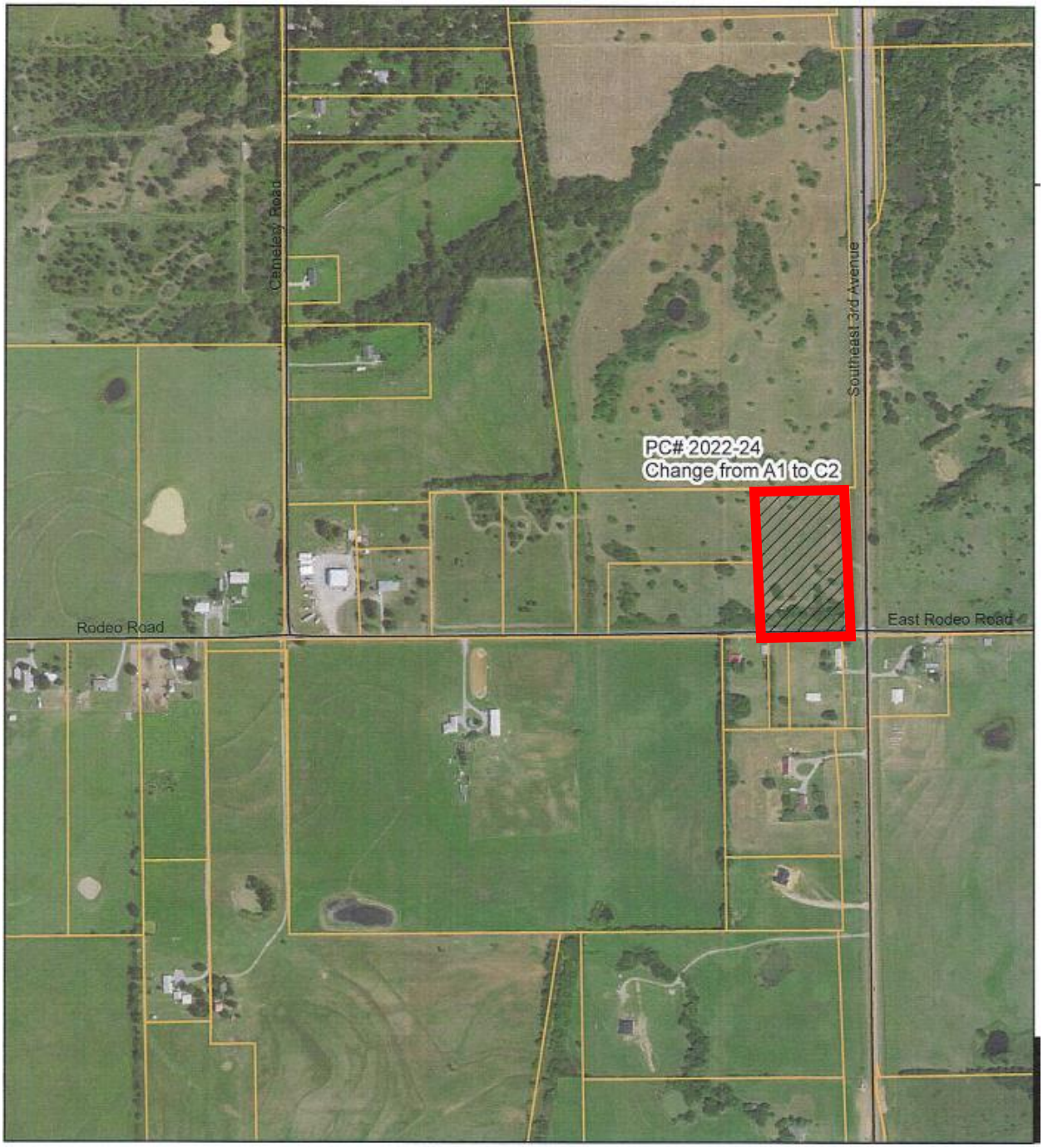
Analysis: The aforementioned property is approximately 18 acres total, the plat shows three 2-acre lots that are designated as commercial, five 1-acre lots designated as single-family residential and approximately 7 acres remaining as agriculture. The lot is currently vacant. The area is made up of mostly Agriculture Zoned property. The subject property does meet the requirements for each of the requested zoning types. There does appear to be City water and sewer in the area.

The current Future Land Use Map has this area as commercial uses; therefore, this rezoning request is generally in line with the Future Land Use Map.

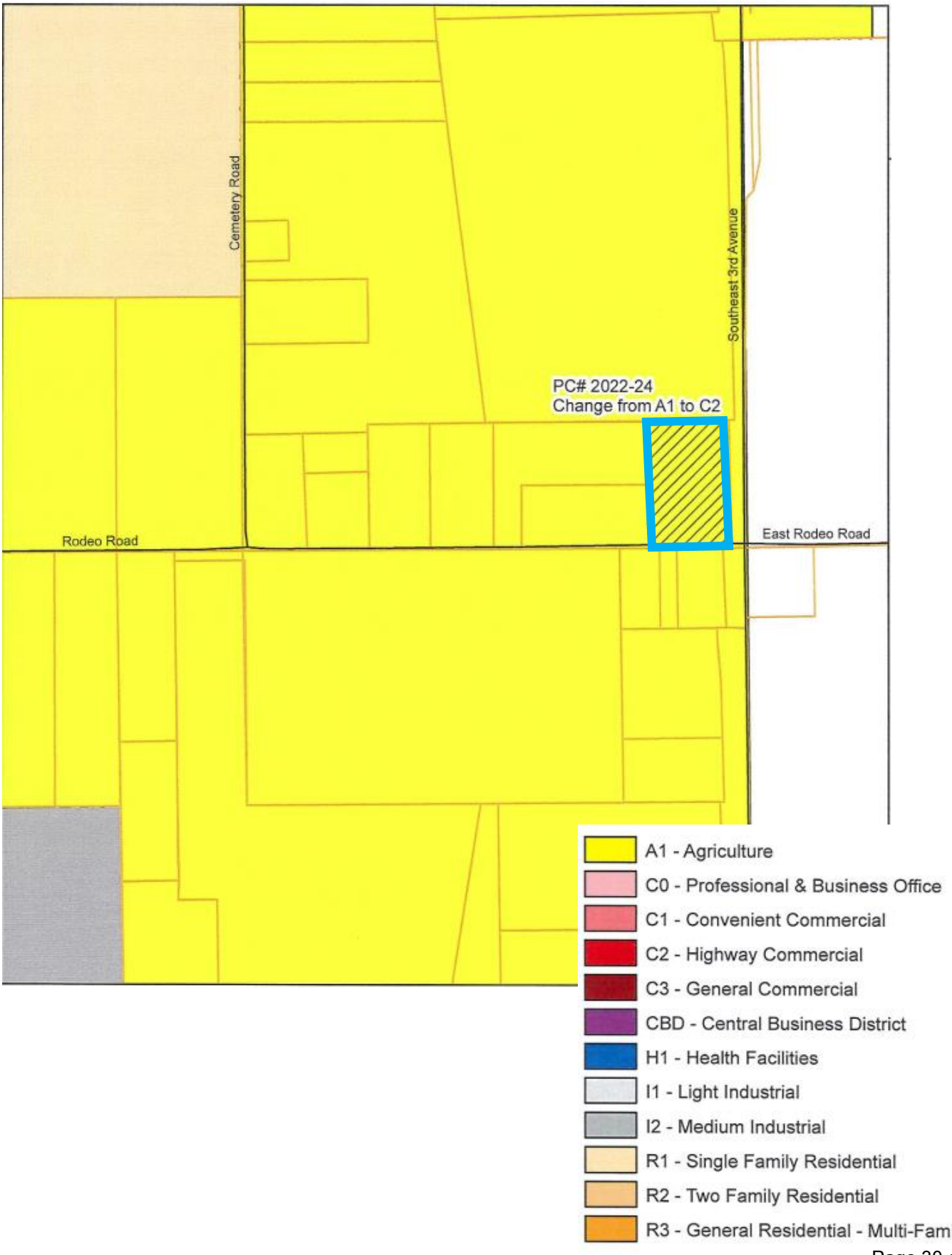
Staff Recommendation: While staff does not have an issue with the rezoning request, there is a concern if this request would be considered spot zoning.

Required Action: Hold a public hearing to recommend approval or denial of the rezoning request for the property located near Southeast 3rd Avenue and Rodeo Road. Any specific conditions imposed by the Commission should be read into any approval motion.

Aerial Map


Canalecy Road
Southeast 3rd Avenue
PC# 2022-24
Change from A1 to C2
Rodeo Road
East Rodeo Road

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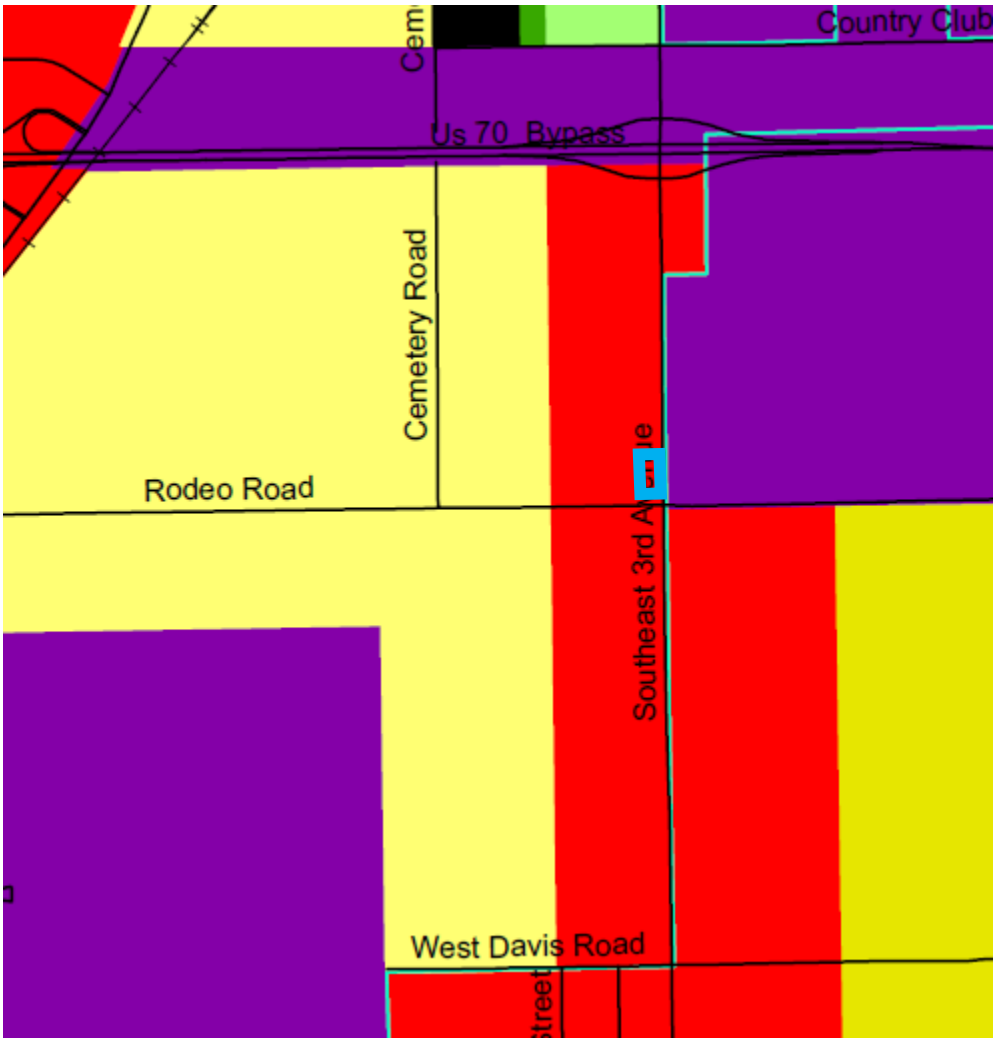
A1 - Agriculture
C0 - Professional & Business Office
C1 - Convenient Commercial
C2 - Highway Commercial
C3 - General Commercial
CBD - Central Business District
H1 - Health Facilities
I1 - Light Industrial
I2 - Medium Industrial
R1 - Single Family Residential
R2 - Two Family Residential
R3 - General Residential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

Future Land Use Map

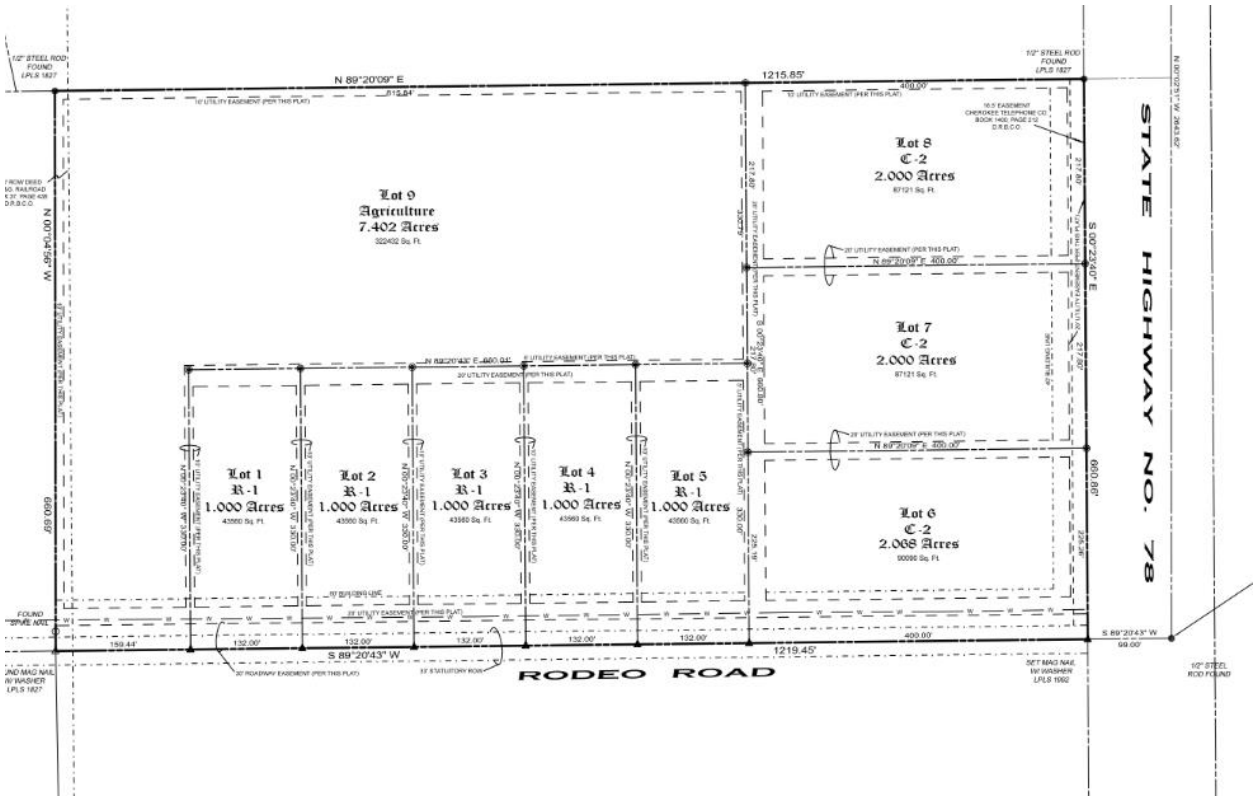


Location is approximate

Future Land Use

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

Final Plat


Lot 9
Agriculture
7.402 Acres
322432 Sq. Ft.
Lot 8
C-2
2.000 Acres
87121 Sq. Ft.
Lot 7
C-2
2.000 Acres
87121 Sq. Ft.
Lot 6
C-2
2.068 Acres
90090 Sq. Ft.
Lot 1
R-1
1.000 Acres
43560 Sq. Ft.
Lot 2
R-1
1.000 Acres
43560 Sq. Ft.
Lot 3
R-1
1.000 Acres
43560 Sq. Ft.
Lot 4
R-1
1.000 Acres
43560 Sq. Ft.
Lot 5
R-1
1.000 Acres
43560 Sq. Ft.
N 89°20'09" E
1215.85'
S 89°20'43" W
1219.45'
N 00°04'49" W
660.69'
S 00°23'40" E
660.88'
S 89°20'43" W
99.00'
400.00'
159.44'
132.00'
RODEO ROAD
STATE HIGHWAY NO. 78

ORDINANCE NO. O-2022-XX

AN ORDINANCE AMENDING THE ZONING MAP OF THE ZONING CODE AND DECLARING AN EMERGENCY

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

SECTION 1. That the zoning map is hereby amended as to replace the A-1 General Agriculture Zoning Districts to the C-2, Highway Commercial and Commercial Recreation Zoning District for property located near Southeast 3rd Avenue and Rodeo Road, in Durant, and more particularly described as;

Being a part of the S/2 SE/4 SE/4 of Section 8, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma and being more particularly described by metes and bounds as follows:

Commencing at a 1/2" steel rod found at the Southeast Corner of said Section 8;
Thence South 89°20'43" West, a distance of 99.00 feet to a mag nail set with an aluminum washer marked COPLEY LPLS 1992 in the west right-of-way line of State Highway No. 78 for the True-Point-of-Beginning;

Thence South 89°20'43" West, along the south line of the S/2 SE/4 SE/4 of said Section 8, a distance of 400.00 feet to a mag nail set with an aluminum washer marked COPLEY LPLS 1992;

Thence North 00°23'40" West, a distance of 660.80 feet to a 1/2" steel rod set with a cap marked COPLEY LPLS 1992;

Thence North 89°20'09" East, a distance of 400.00 feet to a 1/2" steel rod found with a cap marked LPLS 1827 in the west right-of-way of said State Highway No. 78;

Thence South 00°23'40" East, along the west right-of-way line of said State Highway No. 78, a distance of 660.86 feet to the Point-of-Beginning and containing 6.068 acres of land. Basis of Bearing Oklahoma State Plane Coordinate System, Oklahoma South (3502) (NAD 83), (Grid North) This property description was prepared on (9/28/2022) by John C. Copley, Licensed Professional Land Surveyor No. 1992.

SECTION 2. 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 11th day of October, 2022.

_____
Oden Grube, Mayor
City Of Durant, Oklahoma

ATTEST:

_____
Cynthia J. Price, City Clerk

REZONING APPLICATION

Petition #_____
Fee $_____

APPLICANT INFORMATION

Name: DH Modern Construction LLP (point of contact: Danny Khoury)	Email: dhmodernconstruction@gmail.com	Phone #1 (904) 661-9851
Mailing Address: 3324 Lazy Ln, Durant, Oklahoma 74701		Phone #2 (919) 519-7272
City: Durant State: OK Zip: 74701		Fax #
Applicant's Interest in Property: Owner		

___Please use attached addendum if there is more than one applicant.

Physical Address of Rezoning Request: TPD			
___Platted ___Un-Platted	Subdivision	Lot	Block
Legal Description: The S/2, SE/4, SE/4 of Section 8, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma (If Un-platted)			

__ Deed Attached (required) If applicant is not owner listed on deed, owner consent must be included.

Request Rezoning From: Agriculture		Request Rezoning To: Agriculture, C2, & R1	
Present Use: Agriculture (18.47 Acres)		Proposed Use: Agriculture (7.402 Acres) C2 Highway Commercial (6.068 Acres) R1 single family residential (5 Acres)	
Parcel Width: 660	Parcel Length: 1200	Acres: 18.4	Street/Road Frontage: HWY 78 and Rodeo Rd

Durant City Water (If City Water will be extended or improvements will be made, please explain:)

No water line improvements is required.
A fire hydrant will be installed to provide fire protection on the existing 6" waterline along Rodeo Rd.

_____City Sewer (If City Sewer will be extended or improvements will be made, please explain:)

Not applicable, Septic system with aerobic treatment will be used for each lot

_____Private Water _____Private Sewer

Is Property in the Floodplain? NO	Is property in the Airport Zone. NO

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

Signature of Applicant

8-12-2022
Date

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 #

REZONING SUPPORTING INFORMATION

1. List the changed or changing conditions in the area or in the City which makes this zone change necessary.

The residence of this area has no fuel, food, or any commercial services within 2-miles range.
This project will provide services and job opportunity to the local residence in the area.
Also will additional residential properties considering the high demand in the current housing market.

2. Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain why the Plan is incorrect.

The zoning request will not conflict with the City of Durant Comprehensive Plan.

3. List any other reasons to support this zone change.

- I am providing more than 150 ft buffer of agricultural land between the proposed residential properties and the neighboring property along the west side.
- Providing 7.402 acres of agriculture land between the new development and the neighboring properties along the north side.

MODERN
abstract and title

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That **B.R. Yandell and Mecky J Yandell, a married couple,** party/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(es) by these presents grant, bargain, sell and convey unto **DH Modern Construction LLP, a Limited Liability Partnership,** 3324 Lazy Ln, Durant, OK 74701, party/parties of the second part, his/her/their grantees and heirs, all of the following described real property and premises, situated in Bryan County, Oklahoma, to wit:

The S/2 SE/4 SE/4 of Section 8, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof, LESS AND EXCEPT a strip, piece or parcel of land lying in part of the S/2 SE/4 SE/4, Section 8, Township 7 South, Range 9 East, Indian Base and Meridian, Bryan County, Oklahoma, said parcel of land being described by metes and bounds as follows: Commencing at the Southeast corner of said S/2 SE/4 SE/4; thence S 89°18'41" W along the South line of said S/2 SE/4 SE/4, a distance of 64.69 feet to a point on the present West right-of-way line of State Highway No. 78, said point being the Point of Beginning; thence continuing S 89°18'41" W along said South line, a distance of 25.00 feet; thence N 00°23'40" W, a distance of 661.35 feet to a point on the North line of said S/2 SE/4 SE/4; thence N 89°19'29" E along said North line, a distance of 25.00 feet to a point on said present West right-of-way line; thence S 00°23'40" E along said present West right-of-way line, a distance of 661.34 feet to said Point of Beginning.

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 said party/parties of the second part, his/her/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. Exceptions: Easements and rights of ways of record; oil, gas, and other mineral leases of record; prior oil, gas, and other mineral conveyances or reservations of record; restrictive and protective covenants of record; and applicable zoning ordinances.

Revenue Stamps: $521.25

SIGNED AND SEALED this the 18 day of May, 2022.

B.R. Yandell

Mecky J Yandell

Fidelity National Title,
12404 Park Central, Suite 200S, Dallas, TX 75251

1100 W. Main Street | Durant, OK 74701 | (580)745-5363 | www.ModAbstractTitle.com

WARRANTY DEED
(Continued)

NOTARY AND ACKNOWLEDGMENT

STATE OF Oklahoma

COUNTY OF Delaware

I, Rachel R. Paquin, a Notary Public for the County of Delaware and State of Oklahoma, do hereby certify that B.R. Yandell and Mecky J Yandell, a married couple, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 18 of May, 2022.

Notary Public

My Commission Expires: 05/20/2023

(SEAL)

RACHEL R PAQUIN NOTARY # 19005207 EXP. 05/20/23 PUBLIC STATE OF OKLAHOMA

File No.: 220310568

§ 156.028 C-2 HIGHWAY COMMERCIAL AND COMMERCIAL RECREATION DISTRICT.

This commercial district is established as a district in which the principal use of land is for establishments offering accommodations, supplies, or services to motorists and for certain specialized uses, such as retail outlets, extensive commercial amusements, and service establishments which may serve the entire community but do not and should not locate in the Central Business District or the Convenience District.

(Prior Code, § 157.026) (Ord. 1040, passed 4-12-1983)

THE CITY OF DURANT
Office of Community Development

Date: 10/04/2022
To: Planning Commission
Case: PC 2022-24
From: Danielle O'Neal, Community Development Director
Re: Rezoning Request from A-1, General Agriculture to R-1, Single-Family Residential for property located near Southeast 3rd Avenue and Rodeo Road

---

Request: Consider a request from DH Modern Construction, LLP, for a rezoning of the property located near Southeast 3rd Avenue and Rodeo Road

Current Zoning: A-1, General Agriculture

Requested Zoning: R-1, Single-Family Residential

Surrounding Properties:

Direction	Zoning	Use
North	A-1	Vacant
West	A-1	Vacant
South	A-1	Single Family Residential

Lot Characteristics (Current Lot):

Width	~ 642 ft.
Depth	~1,222 ft.
Total Area	~18 acres (~784,524 sq. ft.)

Applicant: DH Modern Construction, LLP

Background: The applicant approached staff regarding the rezoning and platting of this property with the desire of building commercial and residential development. Staff published the zoning cases separate from the platting cases in hopes of lessening any confusion. The commercial piece of the development is expected to be a total of approximately 6 acres that will service the residents in that area. The residential piece of the development is expected to be a total of approximately 5 acres and expected to be single-family residential. The remaining approximately 7 acres is expected to remain as agriculture and a buffer to the existing area. The commercial area is expected to be directly on the corner of Southeast 3rd Avenue and Rodeo Road. The residential piece will abut the commercial piece and will face Rodeo Road.

Notifications have been made to the surrounding property owners and at the time of this report staff has not received any phone calls or letters of support or protest regarding this rezoning request.

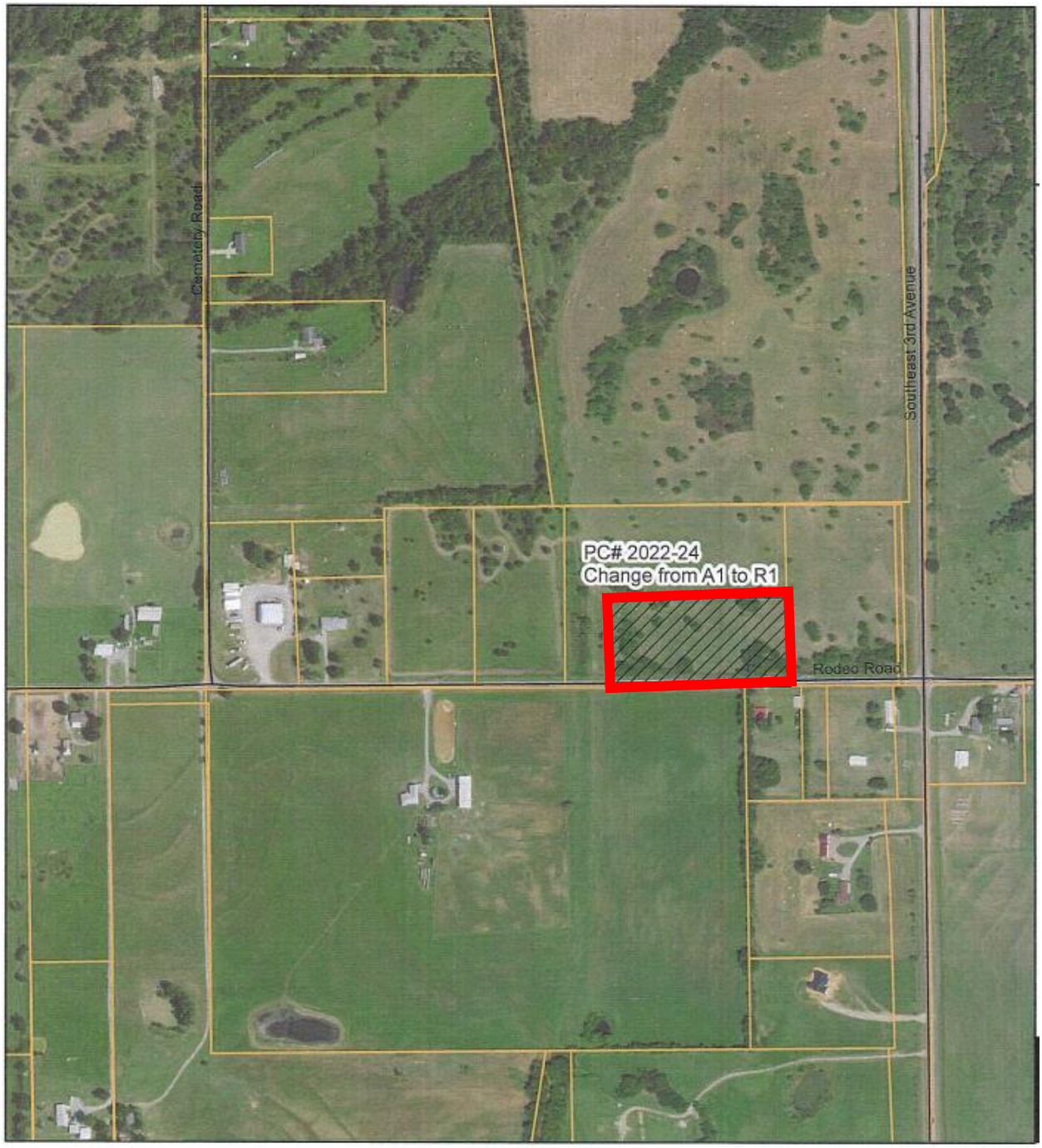
Analysis: The aforementioned property is approximately 18 acres total, the plat shows three 2-acre lots that are designated as commercial, five 1-acre lots designated as single-family residential and approximately 7 acres remaining as agriculture. The lot is currently vacant. The area is made up of mostly Agriculture Zoned property. The subject property does meet the requirements for each of the requested zoning types. There does appear to be City water and sewer in the area.

The current Future Land Use Map has this area as commercial uses; therefore, this rezoning request is generally not in line with the Future Land Use Map.

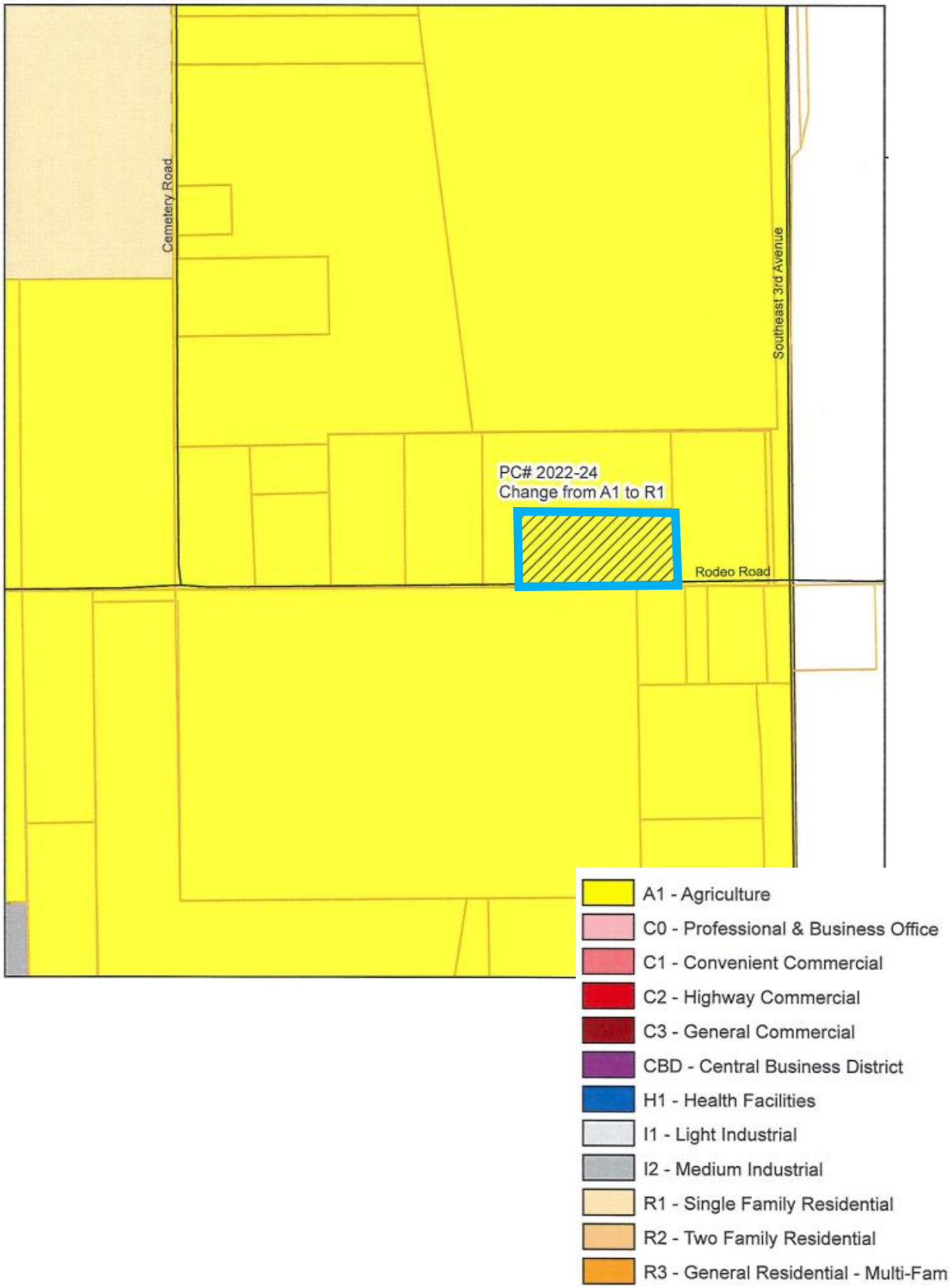
Staff Recommendation: While staff does not have an issue with the rezoning request, there is a concern if this request would be considered spot zoning as well as not being completely in line with the Future Land Use Map.

Required Action: Hold a public hearing to recommend approval or denial of the rezoning request for the property located near Southeast 3rd Avenue and Rodeo Road. Any specific conditions imposed by the Commission should be read into any approval motion.

Aerial Map


Cemetery Road
Southeast 3rd Avenue
PC# 2022-24
Change from A1 to R1
Rodeo Road

Zoning Map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Change from A1 to R1
Rodeo Road
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C2 - Highway Commercial
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H1 - Health Facilities
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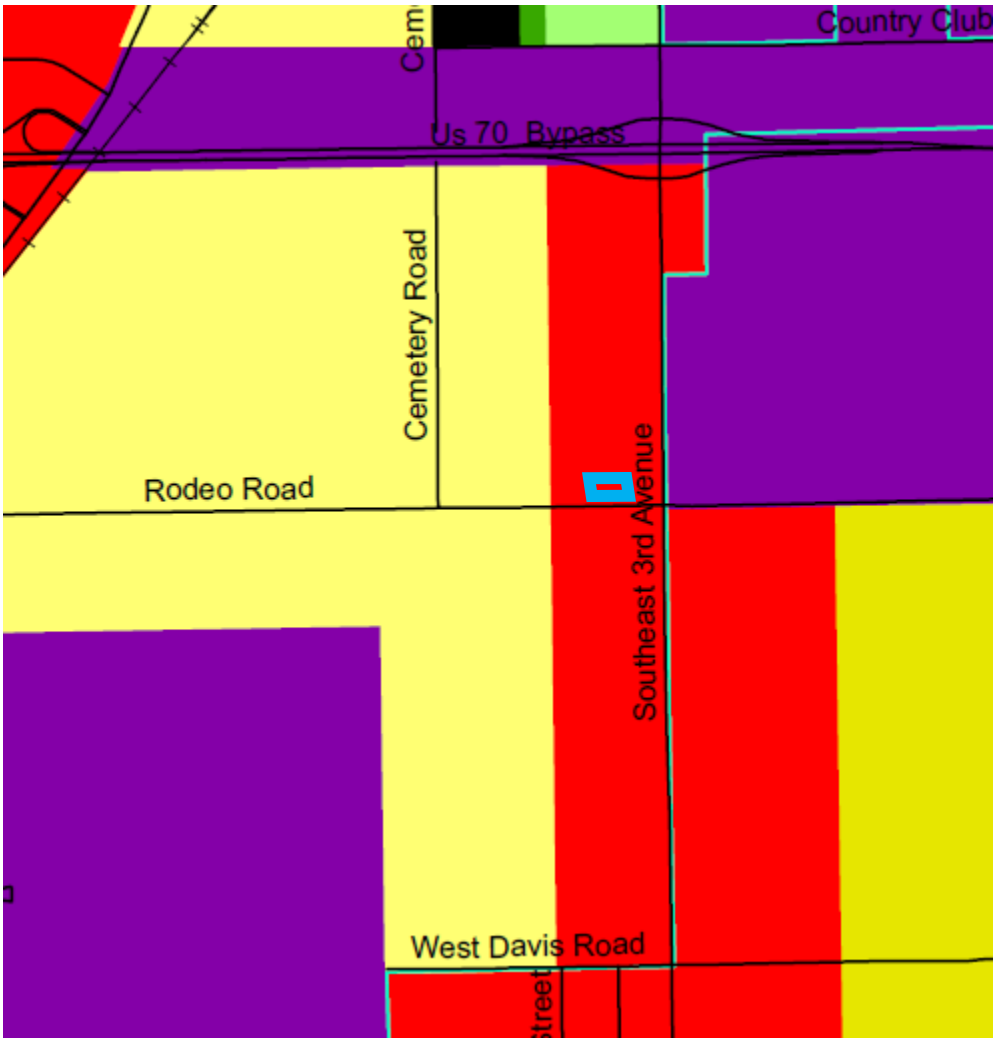
Future Land Use Map

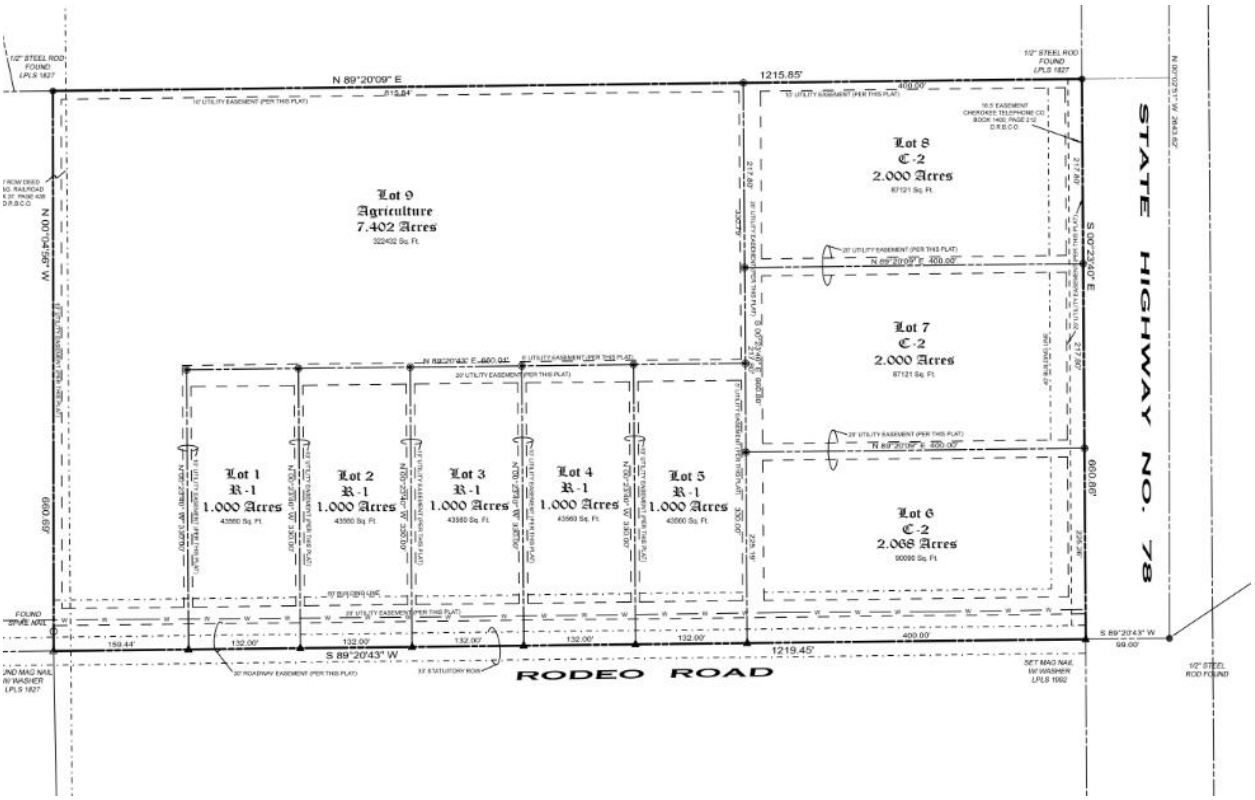


Location is approximate

Future Land Use

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

Final Plat


Lot 9
Agriculture
7.402 Acres
322432 Sq. Ft.
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RODEO ROAD
STATE HIGHWAY NO. 78

ORDINANCE NO. O-2022-XX

AN ORDINANCE AMENDING THE ZONING MAP OF THE ZONING CODE AND DECLARING AN EMERGENCY

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

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Thence ***North 00°23'40" West****, a distance of* ***330.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY LPLS 1992;*

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Thence ***South 00°23'40" East****, a distance of* ***330.00 feet*** *to the* ***Point-of-Beginning*** *and containing* ***5.000 acres*** *of land. Basis of Bearing Oklahoma State Plane Coordinate System, Oklahoma South (3502) (NAD 83), (Grid North) This property description was prepared on (9/28/2022) by John C. Copley, Licensed Professional Land Surveyor No. 1992.*

SECTION 2. 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 11th day of October, 2022.

_____
Oden Grube, Mayor
City Of Durant, Oklahoma

ATTEST:

_____
Cynthia J. Price, City Clerk

REZONING APPLICATION

Petition #_____
Fee $_____

APPLICANT INFORMATION

Name: DH Modern Construction LLP (point of contact: Danny Khoury)	Email: dhmodernconstruction@gmail.com	Phone #1 (904) 661-9851
Mailing Address: 3324 Lazy Ln, Durant, Oklahoma 74701		Phone #2 (919) 519-7272
City: Durant State: OK Zip: 74701		Fax #
Applicant's Interest in Property: Owner		

___Please use attached addendum if there is more than one applicant.

Physical Address of Rezoning Request: TPD			
___Platted ___Un-Platted	Subdivision	Lot	Block
Legal Description: The S/2, SE/4, SE/4 of Section 8, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma (If Un-platted)			

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Request Rezoning From: Agriculture		Request Rezoning To: Agriculture, C2, & R1	
Present Use: Agriculture (18.47 Acres)		Proposed Use: Agriculture (7.402 Acres) C2 Highway Commercial (6.068 Acres) R1 single family residential (5 Acres)	
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Not applicable, Septic system with aerobic treatment will be used for each lot

_____Private Water _____Private Sewer

Is Property in the Floodplain? NO	Is property in the Airport Zone. NO

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

Signature of Applicant

8-12-2022
Date

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 #

REZONING SUPPORTING INFORMATION

1. List the changed or changing conditions in the area or in the City which makes this zone change necessary.

The residence of this area has no fuel, food, or any commercial services within 2-miles range.
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Also will additional residential properties considering the high demand in the current housing market.

2. Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain why the Plan is incorrect.

The zoning request will not conflict with the City of Durant Comprehensive Plan.

3. List any other reasons to support this zone change.

- I am providing more than 150 ft buffer of agricultural land between the proposed residential properties and the neighboring property along the west side.
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MODERN
abstract and title

WARRANTY DEED

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The S/2 SE/4 SE/4 of Section 8, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof, LESS AND EXCEPT a strip, piece or parcel of land lying in part of the S/2 SE/4 SE/4, Section 8, Township 7 South, Range 9 East, Indian Base and Meridian, Bryan County, Oklahoma, said parcel of land being described by metes and bounds as follows: Commencing at the Southeast corner of said S/2 SE/4 SE/4; thence S 89°18'41" W along the South line of said S/2 SE/4 SE/4, a distance of 64.69 feet to a point on the present West right-of-way line of State Highway No. 78, said point being the Point of Beginning; thence continuing S 89°18'41" W along said South line, a distance of 25.00 feet; thence N 00°23'40" W, a distance of 661.35 feet to a point on the North line of said S/2 SE/4 SE/4; thence N 89°19'29" E along said North line, a distance of 25.00 feet to a point on said present West right-of-way line; thence S 00°23'40" E along said present West right-of-way line, a distance of 661.34 feet to said Point of Beginning.

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 said party/parties of the second part, his/her/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. Exceptions: Easements and rights of ways of record; oil, gas, and other mineral leases of record; prior oil, gas, and other mineral conveyances or reservations of record; restrictive and protective covenants of record; and applicable zoning ordinances.

Revenue Stamps: $521.25

SIGNED AND SEALED this the 18 day of May, 2022.

B.R. Yandell

Mecky J Yandell

Fidelity National Title,
12404 Park Central, Suite 200S, Dallas, TX 75251

1100 W. Main Street | Durant, OK 74701 | (580)745-5363 | www.ModAbstractTitle.com

WARRANTY DEED
(Continued)

NOTARY AND ACKNOWLEDGMENT

STATE OF Oklahoma

COUNTY OF Delaware

I, Rachel R. Paquin, a Notary Public for the County of Delaware and State of Oklahoma, do hereby certify that B.R. Yandell and Mecky J Yandell, a married couple, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 18 of May, 2022.

Notary Public

My Commission Expires: 05/20/2023

(SEAL)

RACHEL R PAQUIN NOTARY # 19005207 EXP. 05/20/23 PUBLIC STATE OF OKLAHOMA

File No.: 220310568

§ 156.021 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT.

The R-1 Single-Family District is established as a district in which the use of the land is for single-family dwellings, except as noted. It is the purpose and intent of this district to promote the development of and the continued use of the land for single-family dwellings and to prohibit commercial and industrial use or any other use which would substantially interfere with the development or continuation of single-family dwellings in this district. The intent is to further discourage any use in this district which would generate traffic or create congestion on neighborhood streets other than the normal traffic which serves the residents in the area. This district further encourages only those uses which because of character or size would not create additional requirements and costs for public services which are in excess of such requirements and costs if the district was not developed solely for single-family dwellings.

(Prior Code, § 157.021) (Ord. 1040, passed 4-12-1983)

THE CITY OF DURANT
Office of Community Development

Date: 10/04/2022
To: Planning Commission
Case: PC 2022-24
From: Danielle O'Neal, Community Development Director
Re: Final Plat Request for Bronco Acres, property located near Southeast 3rd Avenue and Rodeo Road.

Request: Consider a request from DH Modern Construction, LLP, for a Final Plat Request for Bronco Acres, property located near Southeast 3rd Avenue and Rodeo Road.

Current Zoning: A-1, General Agriculture *Note* this case is tied to a rezoning request as well.

Surrounding Properties:

Direction	Zoning	Use
North	A-1	Vacant
West	A-1	Vacant
South	A-1	Single Family Residential

Lot Characteristics (Current Lot):

Width	~642 ft.
Depth	~1,222 ft.
Total Area	~18 acres (~784,524 sq. ft.)

Applicant: DH Modern Construction, LLP

Background: The applicant approached staff regarding the rezoning and platting of this property with the desire of building commercial and residential development. Staff published the zoning cases separate from the platting cases in hopes of lessening any confusion. The final plat shows nine total lots. Three lots are 2-acre lots and are expected to be commercial lots. Five lots are 1-acre lots and expected to be single-family residential lots. The remaining approximate 7-acre lot is expected to remain as an agricultural zoned lot and be a buffer.

Notifications have been made to the surrounding property owners and at the time of this report staff has not received any phone calls or letters of support or protest regarding this rezoning request.

Analysis: The subject property is approximately a total of 18 acres. The applicant has nine lots on the plat. The plat and application does indicate which lots will be commercial, residential and agricultural. There is City water and sewer nearby, and the applicants will work with City Staff for any connections that will be needed. The lots will not need any public infrastructure, which is why this is being heard as a final plat. Staff has signed off supporting the approval of this plat.

The current Land Use Map has this area as commercial uses; therefore, this request is partially in line with the Future Land Use Map.

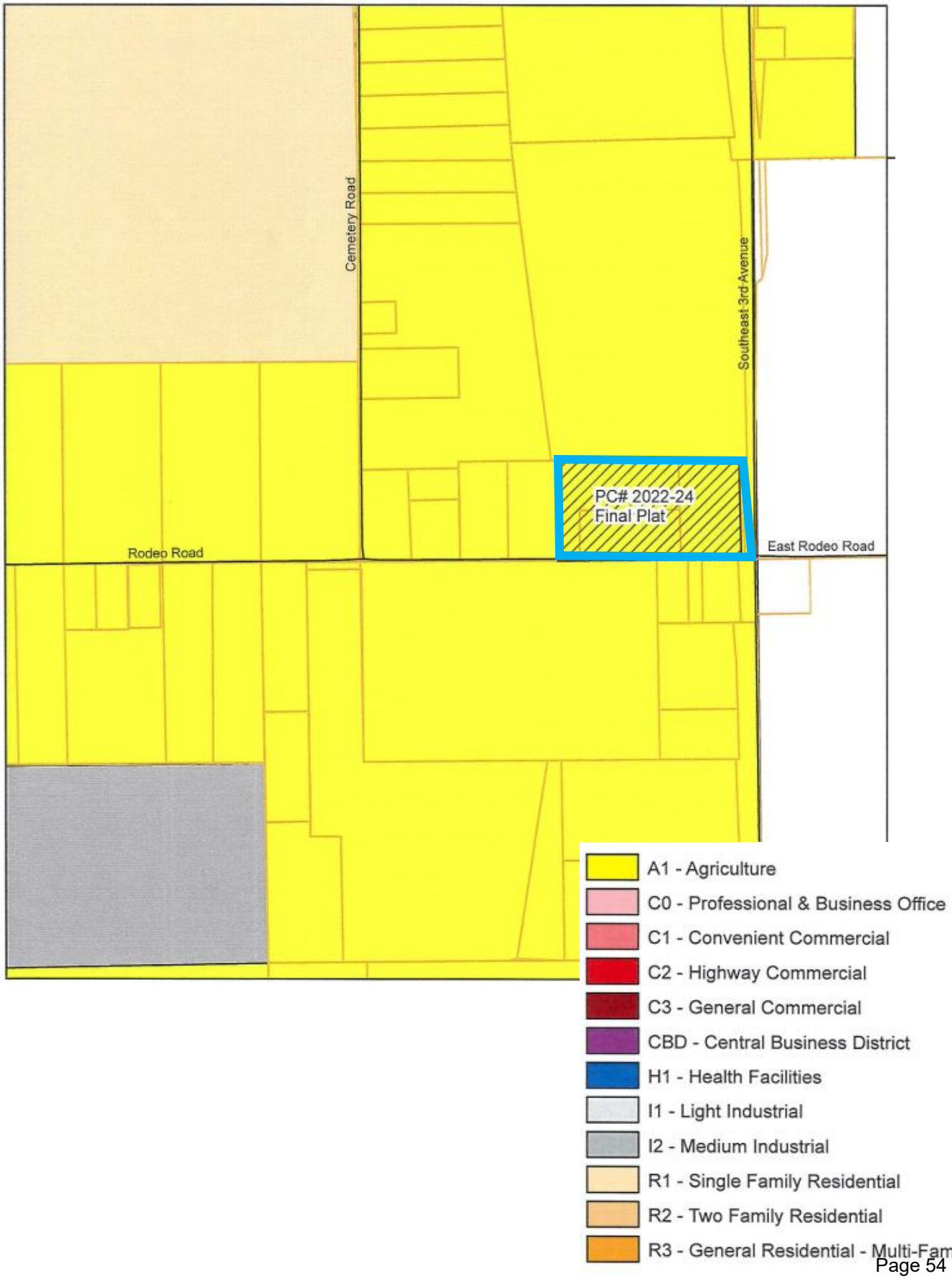
Staff Recommendation: Staff has signed off supporting the approval of the final plat. It should be noted with this case being tied to rezoning cases that should one of the rezoning cases not be approved, the plat may need to be changed.

Required Action: Hold a public hearing and recommend approval or denial of the Final Plat request for Bronco Acres, property located near Southeast 3rd Avenue and Rodeo Road. Any specific conditions imposed by the Commission should be read into any approval motion.

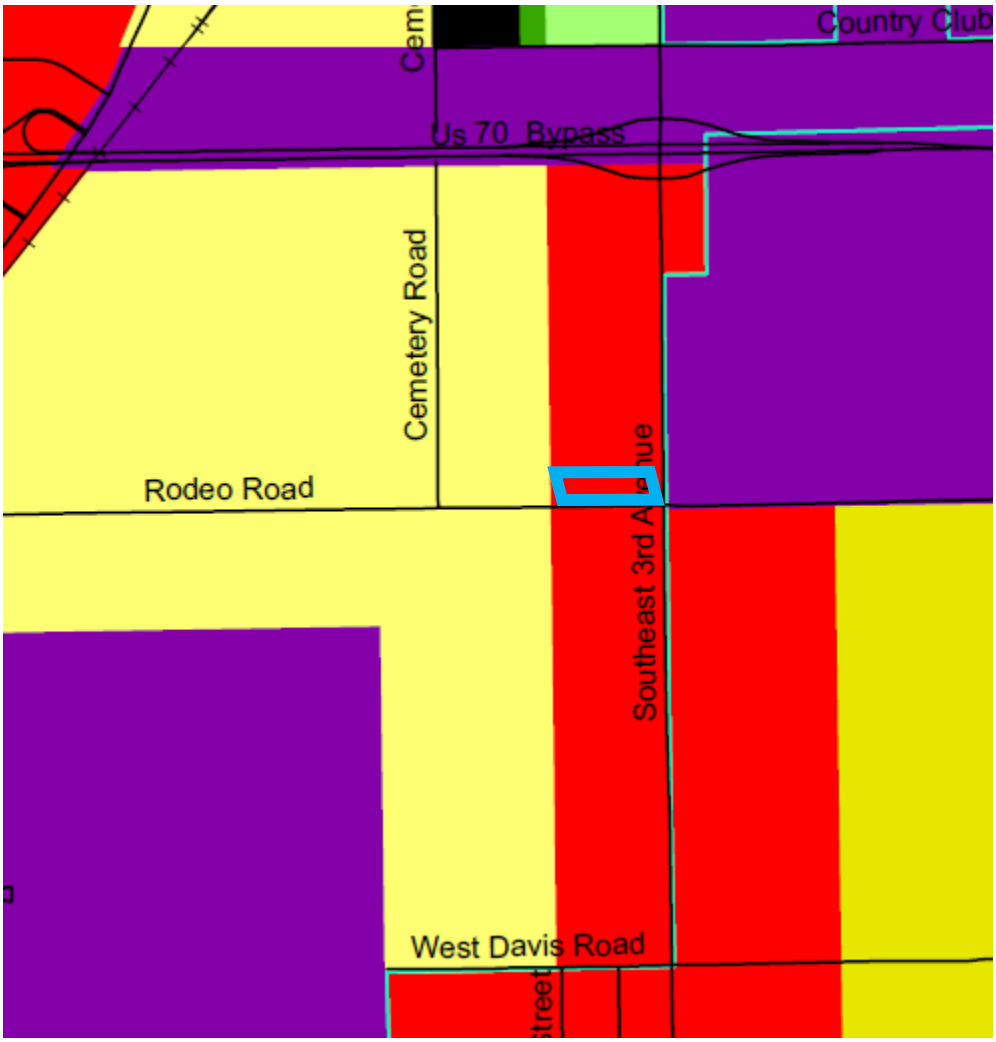
Aerial Map

Cemetery Road
Southeast 3rd Avenue
PC# 2022-24
Final Plat
Rodeo Road
East Rodeo Road

Zoning Map


Cemetery Road
Southeast 3rd Avenue
PC# 2022-24
Final Plat
Rodeo Road
East Rodeo Road
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
- Hosptial/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

Bronco Acres PC2022-24 Hwy. 78 & Rodeo

Department	Signature	Date	Notes
Com Dev Director Danielle O'Neal	DONeal	9/28/22	*need correct PC signature block*
M&O Randy Cantrell		09-07-2022	
Streets Carl Meade	Carl Meade	9-7-22	
Public Works Director Phillip Hightower	Phillip Hightower	9-7-22	
Fire Marshal Jonathan Strahorn	Jonathan Strahorn	9-7-2022	
Building Official Shawn Jackson ~~Mark Pierce~~	Shawn Jackson	9.7.2022	
Engineer Brandon Wall	per email see attached	9-8-22	

Durant.org
Powered by Google

Danielle O'Neal <doneal@durant.org>

Potential Plats for October Planning Commission

brandon@wallengineering.com <brandon@wallengineering.com> Thu, Sep 8, 2022 at 8:49 AM
To: Danielle O'Neal <doneal@durant.org>

Danielle,

Per our discussion we are good with Rodeo Hills and Bronco Acres.

Thanks,

Brandon Wall, P.E., President

Wall Engineering, LLC

PO Box 1457, Durant, OK 74702 (mailing)

223 N Washington, Durant, OK 74701 (physical)

(c) 580.931.7998

[Quoted text hidden]

Subdivision/Plat Application

Sketch Plat: ☐

Preliminary Plat: ☐

Final Plat: ☐

Re-Plat: ☐

Petition #_____

Fee $_____

Expedited Fee $_____

APPLICANT INFORMATION

Name: DH Modern Construction LLP (point of contact: Danny Khoury)	Email: dhmodernconstruction@gmail.com	Phone #1 (904) 661-9851
Mailing Address: 3324 Lazy Ln, Durant, Oklahoma 74701		Phone #2 (919) 519-7272
City: Durant State: Oklahoma Zip: 74701		Fax #
Applicant's Interest in Property: Owner		

SURVEYOR INFORMATION

Name: John C. Copley	Email: john@copleylandsurveying.com	Phone #1 580-980-0181
Mailing Address: 1702 Verdi Ln,		Phone #2
City: Sherman State: Tx Zip: 75090		Fax #
Surveyor Oklahoma License Number: L.P.L.S. No 1992		

ENGINEER INFORMATION

Name:	Email:	Phone #1
Mailing Address:		Phone #2
City: State: Zip:		Fax #
Engineer Oklahoma License Number:		

LAND INFORMATION

Legal Description: The S/2, SE/4, SE/4 of Section 8, Township 7 South, Range 9 East of tl and Meridian, Bryan County, Oklahoma	Parcel Number:
Proposed Subdivision Name: Bronco Acres	Current Zone: Ag
Proposed Use:	Proposed Zone: Ag, C2 , & A1
Current Property Owner's Name: DH Modern Construction LLP	

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: 8-12-2022

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:

* The property will have 7.402 acres of agriculture property.
* 6.068 Acres of commercial C2 property divided into 3 lots to provide opportunity to the business owners to start a commercial investment to serve the area.
* 5 acres of residential property divided into 5 lots .

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking:

Parking will be provided by the City of Durant requirements.

2. Screening of offensive areas (trash, loading areas, transformers, utility connections, detention ponds, etc.).

3. Traffic Impacts:

ODOT is improving the HWY 78 along the east side of the property to provide a turning lane. That will help with organizing the traffic in and out of the property.

4. Protection of Neighborhoods:

- Providing more than 150 ft buffer of agricultural land between the proposed residential properties and the neighboring property along the west side.
- Providing 7.402 acres of agriculture land between the new development and the neighboring properties along the north side.

What licenses and permits (if any) are required for this proposed use?

Please list or describe any other reasons to support this Planned Unit Dev. Permit Application.

MODERN
abstract and title

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That **B.R. Yandell and Mecky J Yandell, a married couple,** party/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(es) by these presents grant, bargain, sell and convey unto **DH Modern Construction LLP, a Limited Liability Partnership,** 3324 Lazy Ln, Durant, OK 74701, party/parties of the second part, his/her/their grantees and heirs, all of the following described real property and premises, situated in Bryan County, Oklahoma, to wit:

The S/2 SE/4 SE/4 of Section 8, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof, LESS AND EXCEPT a strip, piece or parcel of land lying in part of the S/2 SE/4 SE/4, Section 8, Township 7 South, Range 9 East, Indian Base and Meridian, Bryan County, Oklahoma, said parcel of land being described by metes and bounds as follows: Commencing at the Southeast corner of said S/2 SE/4 SE/4; thence S 89°18'41" W along the South line of said S/2 SE/4 SE/4, a distance of 64.69 feet to a point on the present West right-of-way line of State Highway No. 78, said point being the Point of Beginning; thence continuing S 89°18'41" W along said South line, a distance of 25.00 feet; thence N 00°23'40" W, a distance of 661.35 feet to a point on the North line of said S/2 SE/4 SE/4; thence N 89°19'29" E along said North line, a distance of 25.00 feet to a point on said present West right-of-way line; thence S 00°23'40" E along said present West right-of-way line, a distance of 661.34 feet to said Point of Beginning.

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

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Revenue Stamps: $521.25

SIGNED AND SEALED this the 18 day of May, 2022.

B.R. Yandell

Mecky J Yandell

Fidelity National Title,
12404 Park Central, Suite 200S, Dallas, TX 75251

1100 W. Main Street | Durant, OK 74701 | (580)745-5363 | www.ModAbstractTitle.com

WARRANTY DEED
(Continued)

NOTARY AND ACKNOWLEDGMENT

STATE OF Oklahoma

COUNTY OF Delaware

I, Rachel R. Paquin, a Notary Public for the County of Delaware and State of Oklahoma, do hereby certify that B.R. Yandell and Mecky J Yandell, a married couple, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 18 of May, 2022.

Notary Public

My Commission Expires: 05/20/2023

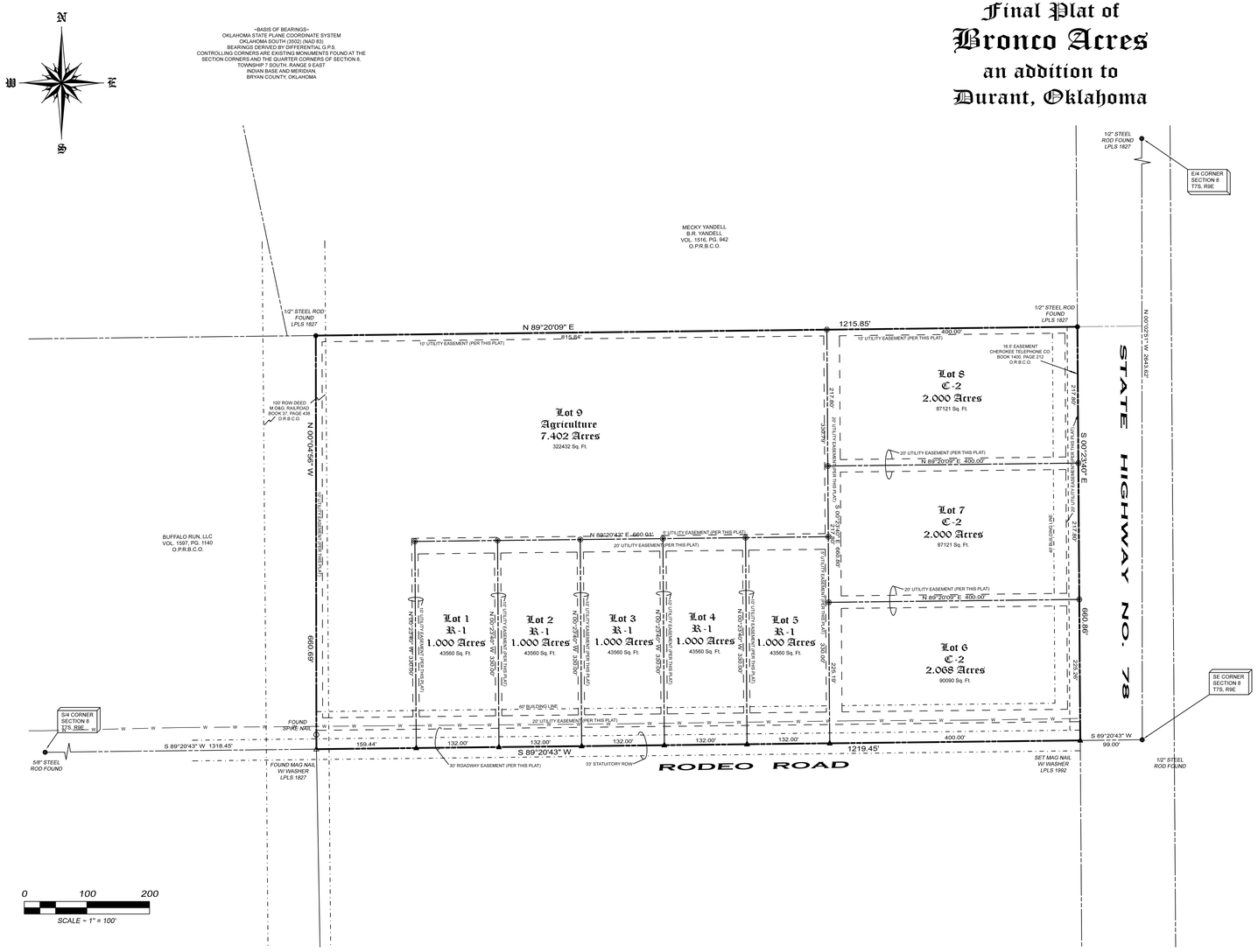
(SEAL)

RACHEL R PAQUIN NOTARY # 19005207 EXP. 05/20/23 PUBLIC STATE OF OKLAHOMA

File No.: 220310568

CLS Job# 22060323P

Final Plat of
Bronco Acres
an addition to
Durant, Oklahoma



Location Map
Range 9 East

Bryan County, Oklahoma
(NOT TO SCALE)

DATE OF LAST SITE VISIT:
8-10-2022

Owners Certificate & Dedication

That DH Modern Construction LLP, being the sole owner in fee simple of the following described real property to wit:

The S/2 SE/4 SE/4 of Section 8, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof, LESS AND EXCEPT a strip, piece or parcel of land lying in part of the S/2 SE/4 SE/4, Section 8, Township 7 South, Range 9 East, Indian Base and Meridian, Bryan County, Oklahoma, said parcel of land being described by metes and bounds as follows: Commencing at the Southeast corner of said S/2 SE/4 SE/4; thence S 89°18'41" W along the South line of said S/2 SE/4 SE/4, a distance of 64.69 feet to a point on the present West right-of-way line of State Highway No. 78, said point being the Point of Beginning; thence continuing S 89°18'41" W along said South line, a distance of 25.00 feet; thence N 00°23'40" W, a distance of 661.35 feet to a point on the North line of said S/2 SE/4 SE/4; thence N 89°19'29" E along said North line, a distance of 25.00 feet to a point on said present West right-of-way line; thence S 00°23'40" E along said present West right-of-way line, a distance of 661.34 feet to said Point of Beginning.

We hereby offer for dedication to the public use all streets and avenues, parks and public facilities, and easements as shown on the Final Plat of BRONCO ACRES, Durant, Oklahoma. The transaction of this irrevocable offer of dedication shall be consummated upon the execution of the Certificate of Acceptance of Dedication.

In witness whereof, DH Modern Construction LLP, has caused these presents to be signed this____day of _____, 2022.

Attest:

_____
Danny J. Khoury
Partner

_____
Hosam Adnan Abo Aytta
Partner

NOTICE: SELLING A PORTION OF THE ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

NOTE:
1. This plat will be required to have sidewalks and street lights per the new subdivision ordinance.

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75090
TX 903-415-0643, OK 580-980-0181
john@copleylandsurveying.com

OWNERS/DEVELOPER
DH MODERN CONSTRUCTION LLP,
3324 LAZY LANE
DURANT, OKLAHOMA

SURVEYOR
JOHN C. COPLEY
L.P.L.S. NO. 1992
1702 VERDI LN.
SHERMAN, TEXAS

Owners Notary

Before me, the undersigned, a Notary Public in and for said County and State on this____day of _____2022, personally appeared_____to me known to be the identical person who executed the within and forgoing instrument and acknowledged to me that___executed the same as____free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

_____
Notary Public

My commission expires:_____.

____Before me, the undersigned, a Notary Public in and for said County and State on this____day of _____2022, personally appeared_____to me known to be the identical person who executed the within and forgoing instrument and acknowledged to me that___executed the same as____free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

_____
Notary Public

My commission expires:_____.

Bryan County Clerk Certificate

STATE OF OKLAHOMA)
SS
COUNTY OF BRYAN)

This instrument was filed on the__ day of,____2022 at _____and duly recorded in Book Number _____, Page _____.

_____
Bryan County Clerk

BEFORE YOU DIG ... 1-800-522-6543 CALL OKIE

County Treasurer's Certificate

I,_____ do hereby that I am the duly elected, qualified and acting County Treasurer of Bryan County, State of Oklahoma. That the tax records of said county show all taxes are paid for the year 2022 and prior years on the land shown on the Final Plat of Bronco Acres in Bryan County, Oklahoma.

In witness whereof I have executed this instrument at_____, Oklahoma, on this_____day of_____, 2022.

_____
County Treasurer

Treasurer

Notary

Before me, the undersigned, a Notary Public in and for said County and State on this____day of _____2022, personally appeared_____to me known to be the identical person who executed the within and forgoing instrument and acknowledged to me that___executed the same as____free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

_____
Notary Public

My commission expires:_____.

Notary

City of Durant Council Approval

It is acknowledged by the City of Durant Planning Commission that the Plat of Bronco Acres, an addition to the City of Durant, Bryan County, Oklahoma has been approved at a meeting on the

ADOPTED by the Council of the City of Durant, Oklahoma this_____day of_____,2022.

_____, _____,
City Clerk *Mayor*

MAYOR

Notary

Before me, the undersigned, a Notary Public in and for said County and State on this____day of _____2022, personally appeared_____to me known to be the identical person who executed the within and forgoing instrument and acknowledged to me that___executed the same as____free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

_____
Notary Public

My commission expires:_____.

Notary

City Planning Commission Approval

It is acknowledged by the City of Durant Planning Commission that the Plat of McLean Addition, an addition to the City of Durant, Bryan County, Oklahoma has been approved at a meeting on the_____day of_____,2022.

_____, _____,
Planning Commission Chair *Planning Commission Secretary*

Notary

Before me, the undersigned, a Notary Public in and for said County and State on this____day of _____2022, personally appeared_____to me known to be the identical person who executed the within and forgoing instrument and acknowledged to me that___executed the same as____free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

_____
Notary Public

My commission expires:_____.

Notary

Department of Environmental Quality Approval

The Oklahoma Department of Environmental Quality certifies that this plat is approved for the construction of a public water system this___day of_____, 2022.

_____
Environmental Specialist

DEQ

Certificate of Survey

I, John Copley a Licensed Professional Land Surveyor in the State of Oklahoma, hereby certify that I have made a careful survey of the foregoing described property designated as *Final Plat of BRONCO ACRES, DURANT, OKLAHOMA* and that the above foregoing plat represents said survey and that 1/2" steel rods with aluminum caps marked (COPLEY LPLS 1992) have been placed at all new lot corners.

This Plat of Survey meets the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors.

Witness my hand and seal this_____day of_____, 2022.

_____
John Copley
Licensed Professional
Land Surveyor No. 1992
C.A. NO. 8279

SURVEYOR

Notary

Before me, the undersigned, a Notary Public in and for said County and State on this____day of _____2022, personally appeared John Copley to me known to be the identical person who executed the within and forgoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

_____
Notary Public

My commission expires:_____.

Notary

Clerk