

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

DURANT PLANNING COMMISSION

5:30 PM

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

January 3, 2023

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 December 6, 2022

2. Consider Items Removed from Consent

3. Information Items

4. Public Hearings

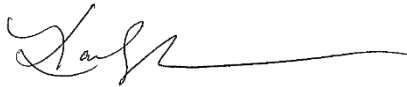
- a. Discussion, Consideration and Possible Action on PC2023-01, a Rezoning Request from A-1, General Agriculture to C-2, Highway Commercial and Commercial Recreation for property near Southeast 3rd Avenue and Rodeo Road.
- b. Discussion, Consideration and Possible Action on PC2023-01, Final Plat Request for property near Rodeo Road and Southeast Third Avenue
- c. Discussion, Consideration and Possible Action on PC2023-03, Rezoning Request from A-1, General Agriculture and C-2, Highway Commercial and Commercial Recreation Districts to C-2, Highway Commercial and Commercial Recreation District for property located near West Main and South 49th Avenue

5. New Business

ADJOURNMENT

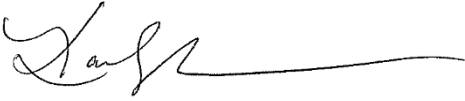
CERTIFICATE

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 2nd day of November, 2022 and that an agenda of said meeting was posted at the place of such meeting at 09:00 a.m. on the 29th day of December, 2022.

A handwritten signature in black ink, appearing to read 'Kari Speers', followed by a long horizontal line extending to the right.

Kari Speers, 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 09:00 a.m. on the 2nd day of December, 2022.



Kari Speers, City of Durant

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

CALL TO ORDER

Chairman Jackson called the meeting to order at 5:30 p.m.

INVOCATION/FLAG SALUTE

Commission Member Horner 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 Clint Horner
Planning Commissioner Whitney Kerr (appeared at 5:32 p.m.)
Planning Commissioner Thomas Newsom

Absent:

None

ORDER OF BUSINESS

1. Consent Items

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

- a. Consider Approval of Regular Meeting Minutes of November 1, 2022

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

Motion Passed with the following vote:

Ayes: Jackson, Knight, Horner, Newsom

Nays: None

Abstain: None

2. Consider Items Removed from Consent

3. Information Items

4. Administration

5. Public Hearings

- a. Discussion, Consideration and Possible Action on PC2022-29, Re-Plat request for property located near Englewood Drive and Eppler Drive.

Kari Speers reviewed with the Planning Commission members a request from Dylan and Brianna Clymore for a Re-Plat for property located near Englewood Drive and Eppler Drive. The applicant approached staff regarding filing for a re-plat request with the hopes of separating one lot into two lots. The applicant intends to build their primary residence and possibly an accessory structure on the lot with a private driveway. The subject property is approximately 2.1 acres total. The lot is shown on the plat to be divided into two lots, one of which is shown to be approximately 0.7 acres and the other is shown to be approximately 1.4 acres. Both of these lots will meet the lot size requirements for the existing zoning district. There appears to be City Sewer in the area and Rural Water District 2 serves this area. The only comments from staff were that all structures would need to meet current setback requirements and the driveway would need to be a sealed surface. The fire marshal will ensure that all fire code regulations are met at the time the construction plans are submitted. The current Future Land Use Map has this area as low to medium 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.

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

Motion Passed with the following vote:

Ayes: Jackson, Knight, Horner, Kerr, Newsom

Nays: None

Abstain: None

6. New Business

There was no new business.

ADJOURNMENT

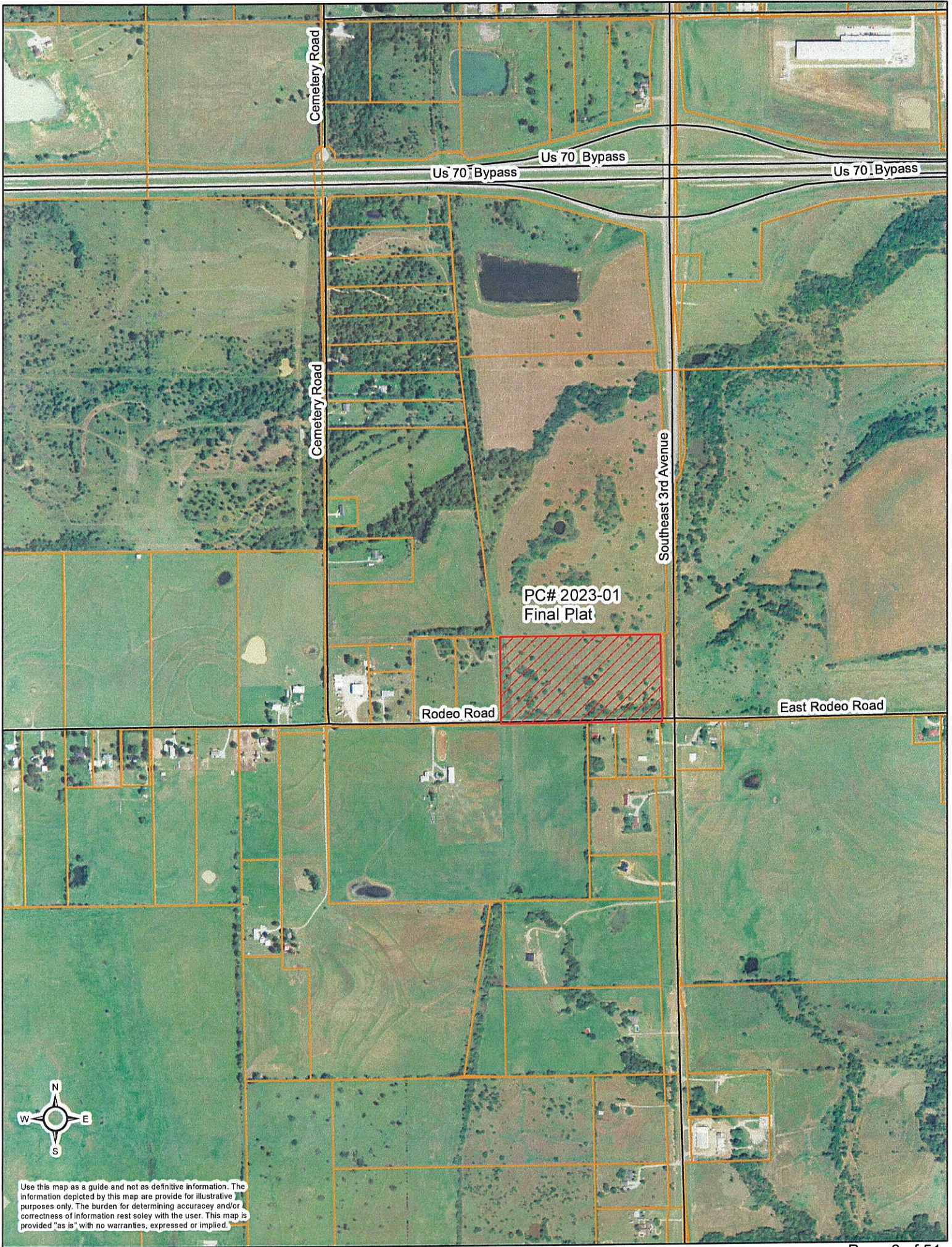
Motion made by Commission Member Horner and seconded by Vice Chairman Knight to adjourn the meeting.

Motion Passed with the following vote:

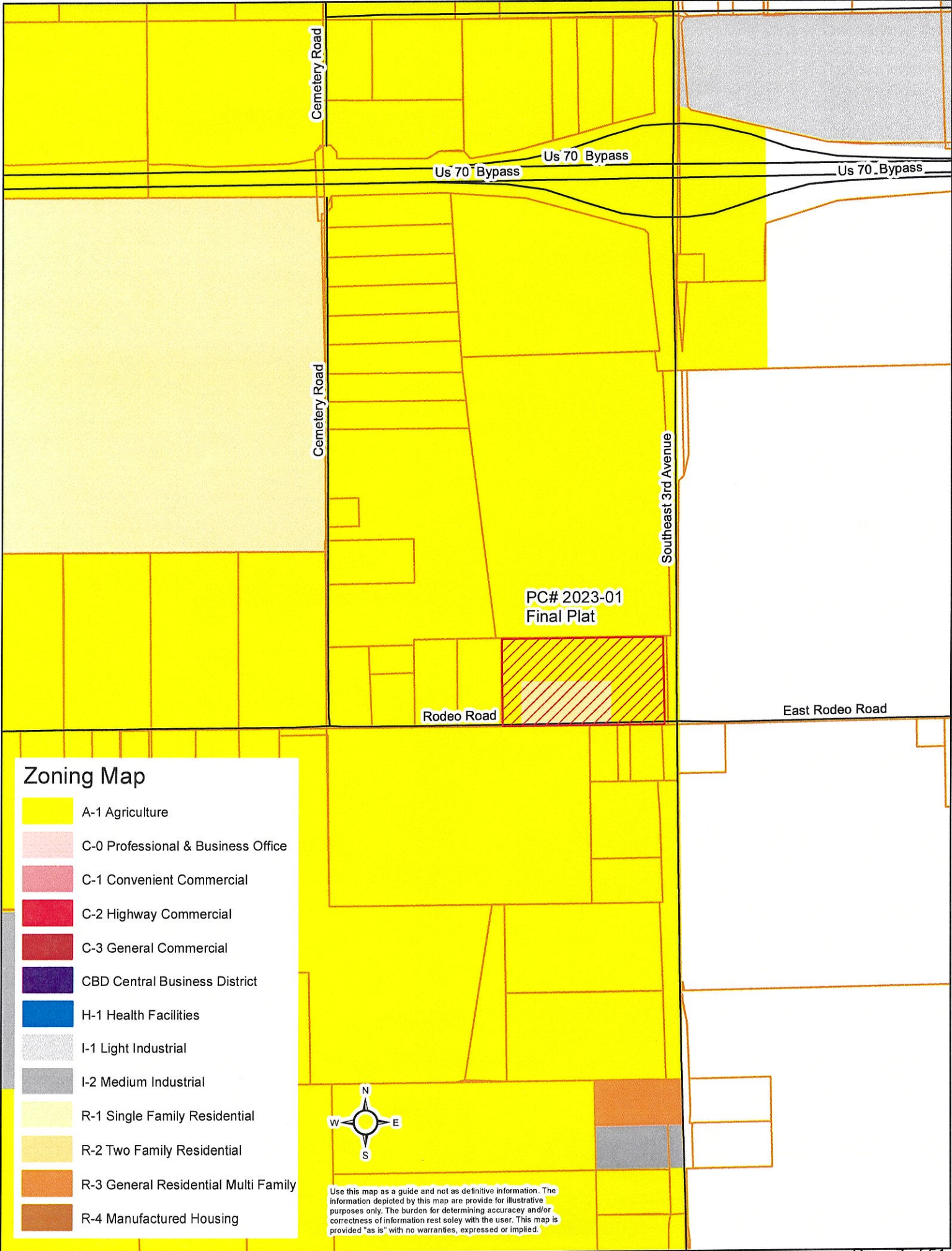
Ayes: Jackson, Knight, Horner, Kerr, Newsom

Nays: None

Abstain: None



Use this map as a guide and not as definitive information. The information depicted by this map are provide for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is" with no warranties, expressed or implied.



Us 70 Bypass

Us 70 Bypass

Us 70 Bypass

Cemetery Road

Southeast 3rd Avenue

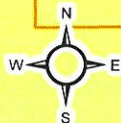
PC# 2023-01
Final Plat

Rodeo Road

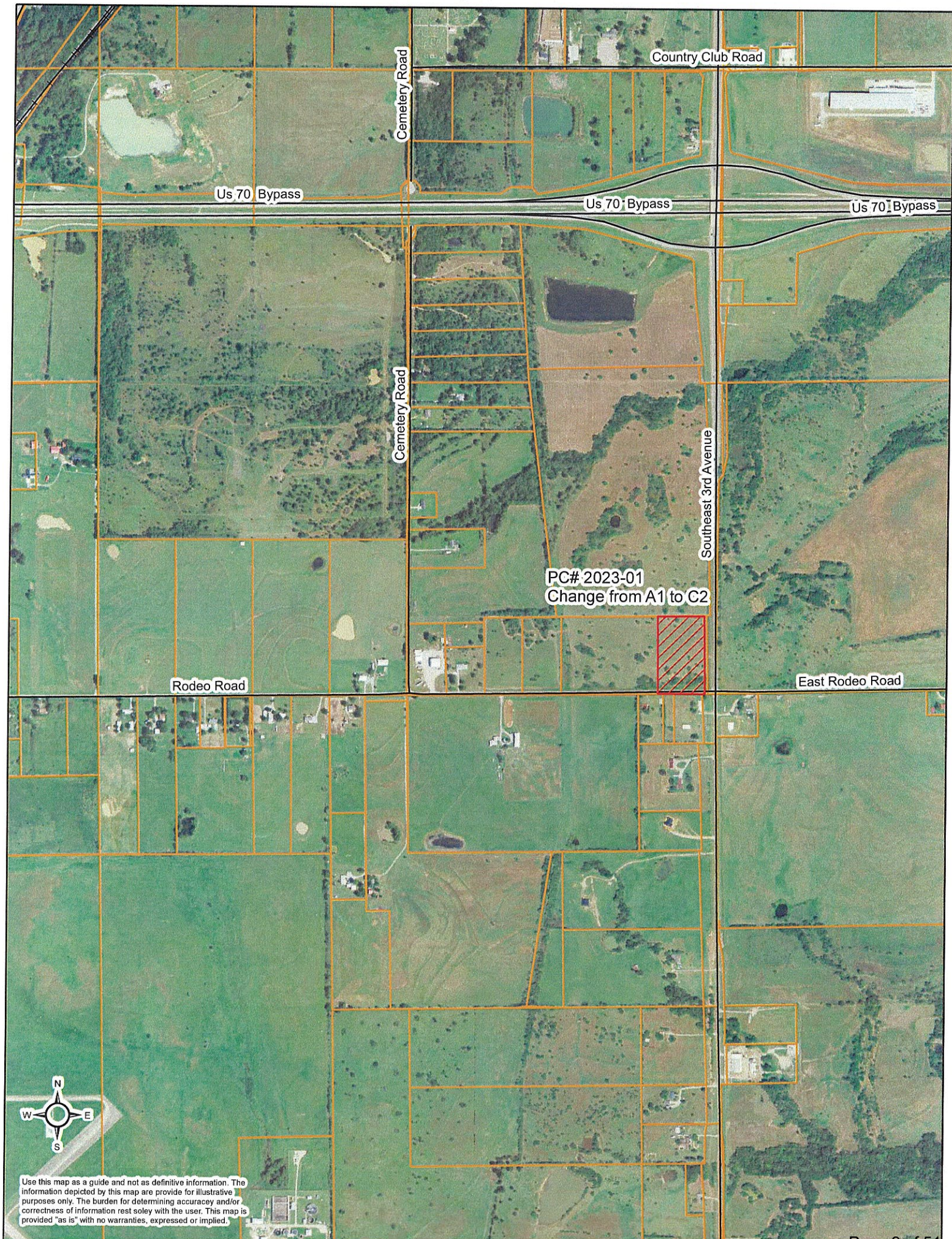
East Rodeo Road

Future Land Use

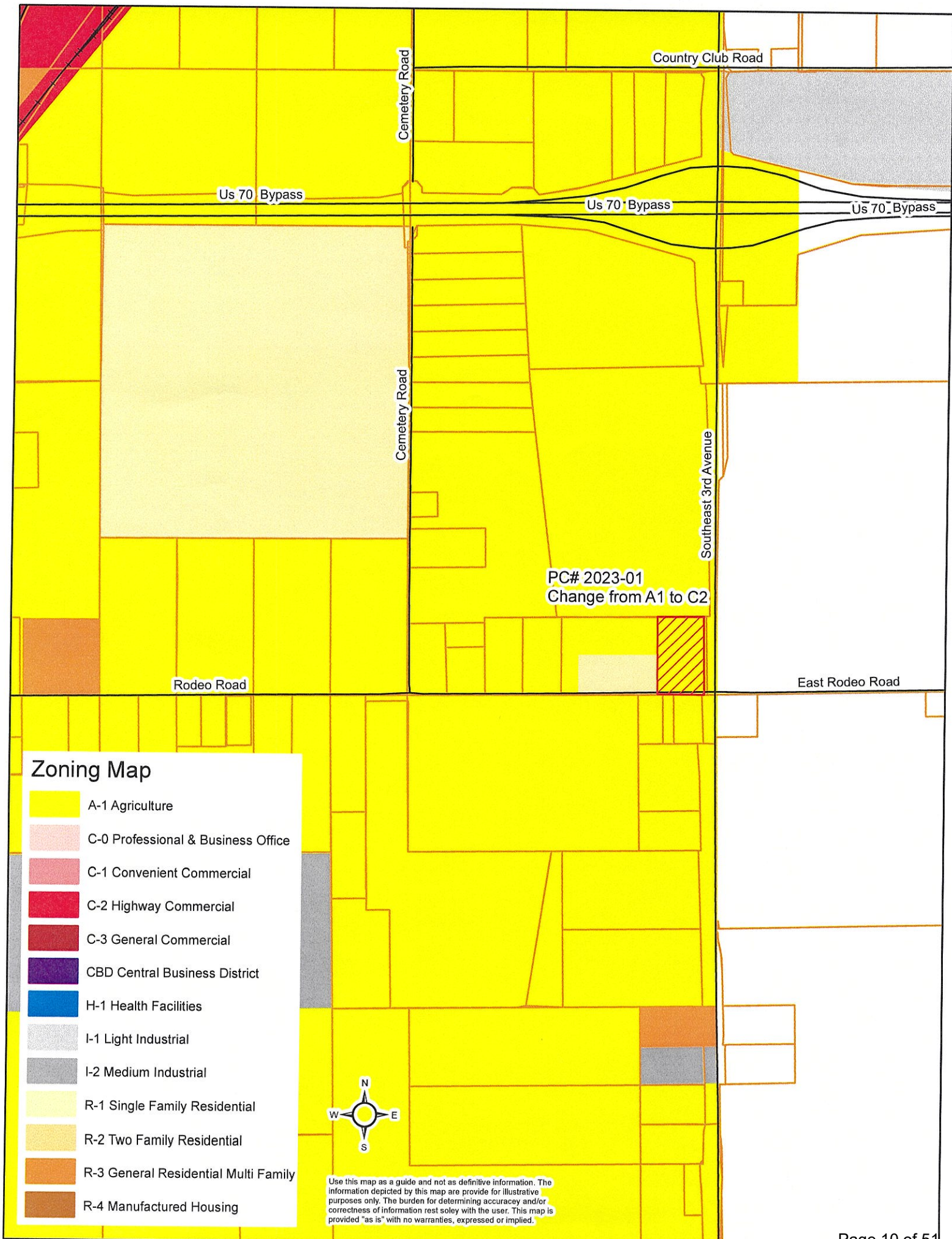
- City
- Recreation
- Agriculture
- Hospital/Health
- CBD
- Industrial
- Commercial
- Mixed Use - Commercial/Industrial
- Mixed Use - Commercial/Residential
- Mixed Residential
- Residential - Low Density
- Residential - Low to Medium Density



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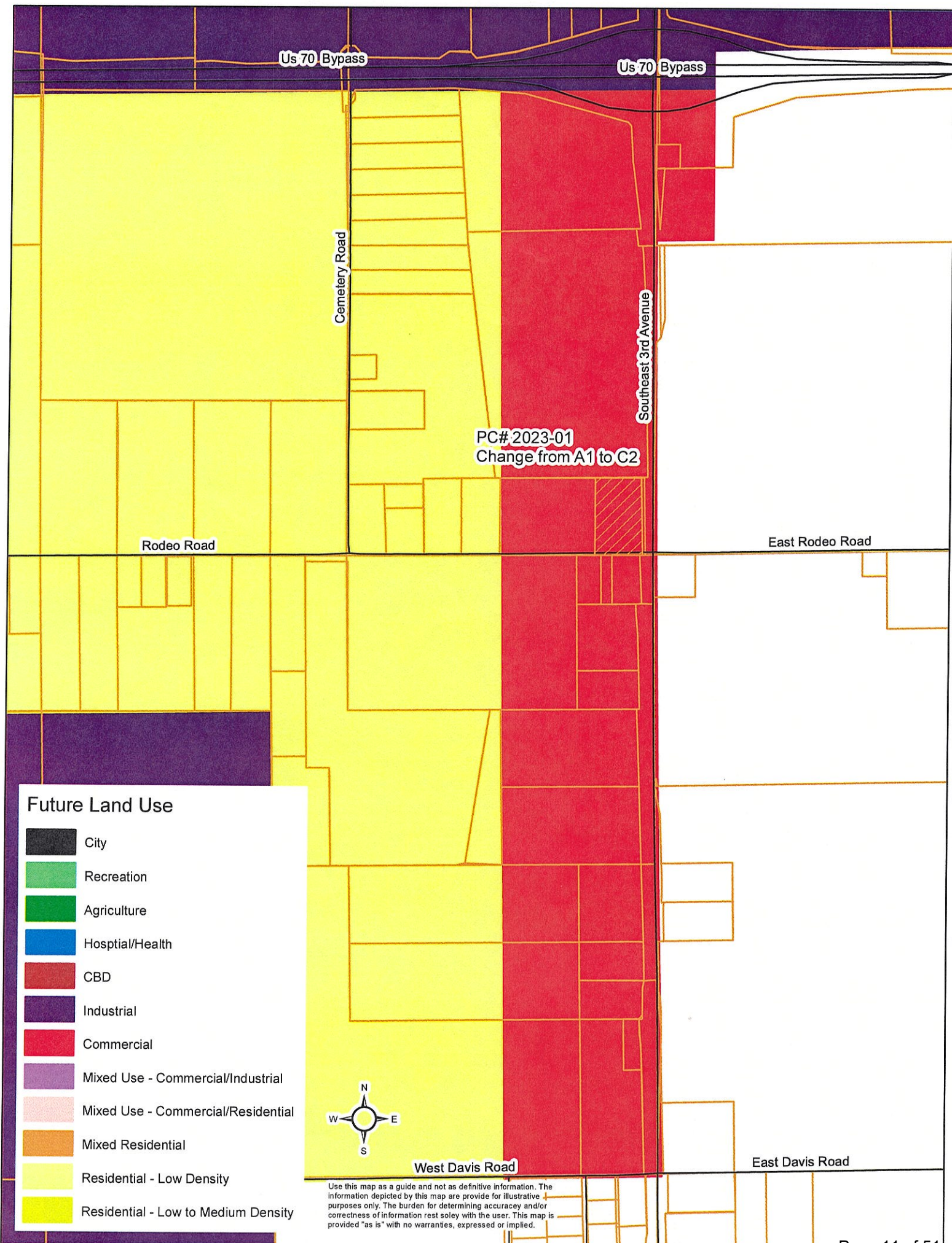


Zoning Map

- A-1 Agriculture
- C-0 Professional & Business Office
- C-1 Convenient Commercial
- C-2 Highway Commercial
- C-3 General Commercial
- CBD Central Business District
- H-1 Health Facilities
- I-1 Light Industrial
- I-2 Medium Industrial
- R-1 Single Family Residential
- R-2 Two Family Residential
- R-3 General Residential Multi Family
- R-4 Manufactured Housing



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ORDINANCE NO. O-2023-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 10th day of January, 2023.

Oden Grube, Mayor
City Of Durant, Oklahoma

ATTEST:

Cynthia J. Price, City Clerk

Subdivision/Plat Application

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

Petition # _____
 Fee \$ _____
 Expedited Fee \$ _____

APPLICANT INFORMATION

Name: DH Modern Construction LLP	Email: dhmodernconstruction@gmail.com	Phone #1 904-661-9851
Mailing Address: 3324 Lazy Ln		Phone #2
City: Durant	State: OK	Zip: 74701
Applicant's Interest in Property:		Fax #

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
Surveyor Oklahoma License Number: C.A. No. 8279		Fax #

ENGINEER INFORMATION

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

LAND INFORMATION

Legal Description: The S/2, SE/4, SE/4 of section 8, Township 7 South, Range 9 East of The Indian and Meridian, Bryan County, Oklahoma.	Parcel Number:
Proposed Subdivision Name: Bronco Acres	Current Zone: R1 & Ag
Proposed Use: commercial, residential, and agricultural	Proposed Zone: C2, R1, & Ag
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: Donny Khavry Date: 11-25-22

Office Use Only

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

Staff Recommendation ___ Approve ___ Deny	PC Recommendation ___ Approve ___ Deny	City Council Action ___ Approve ___ Deny	Ordinance #
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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.).

Screening, trash dumpsters, utilities, and drainage study will be provided according to the City of Durant ordinances.

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?

Building permits, and business licenses.

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

We are planing on keeping and maintaining the entire subdivision, this subdivision will be our future Investment.

REZONING APPLICATION

Petition # _____
Fee \$ _____

APPLICANT INFORMATION

Name: DH Modern Construction LLP	Email: dhmodernconstruction@gmail.com	Phone #1 904-661-9851
Mailing Address: 3324 Lazy Ln		Phone #2
City: Durant	State: OK	Zip: 74701
Applicant's Interest in Property: Owner		Fax #

___ 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: C2	
Present Use: Agriculture		Proposed Use: C2 Highway Commercial	
Parcel Width: 660	Parcel Length: 400	Acres: 6.068	Street/Road Frontage: 3 rd Ave.
<u>Durant</u> City Water (If City Water will be extended or improvements will be made, please explain:) No waterline improvements are required.			
_____ City Sewer (If City Sewer will be extended or improvements will be made, please explain:) 			
_____ 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.

Donny Khary
Signature of Applicant

11-25-2022
Date

Office Use Only

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

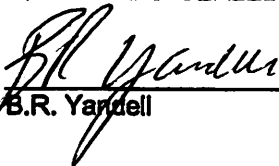
The S/2 SE/4 SE/4 of Section 8, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof, LESS AND EXCEPT a strip, piece or parcel of land lying in part of the S/2 SE/4 SE/4, Section 8, Township 7 South, Range 9 East, Indian Base 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)

File No.: 220310568



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

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

§ 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: 01/03/2023
To: Planning Commission
Case: PC 2023-01
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 case 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 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.

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 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.

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 and the request is generally in line with the Future Land Use Map, there is a concern if the rezoning request would be considered spot zoning.

Required Action: Hold a public hearing to recommend approval or denial of the final plat and 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.



THE CITY OF DURANT

Office of Community Development

Date: 01/03/2023
To: Planning Commission
Case: PC 2023-01
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.

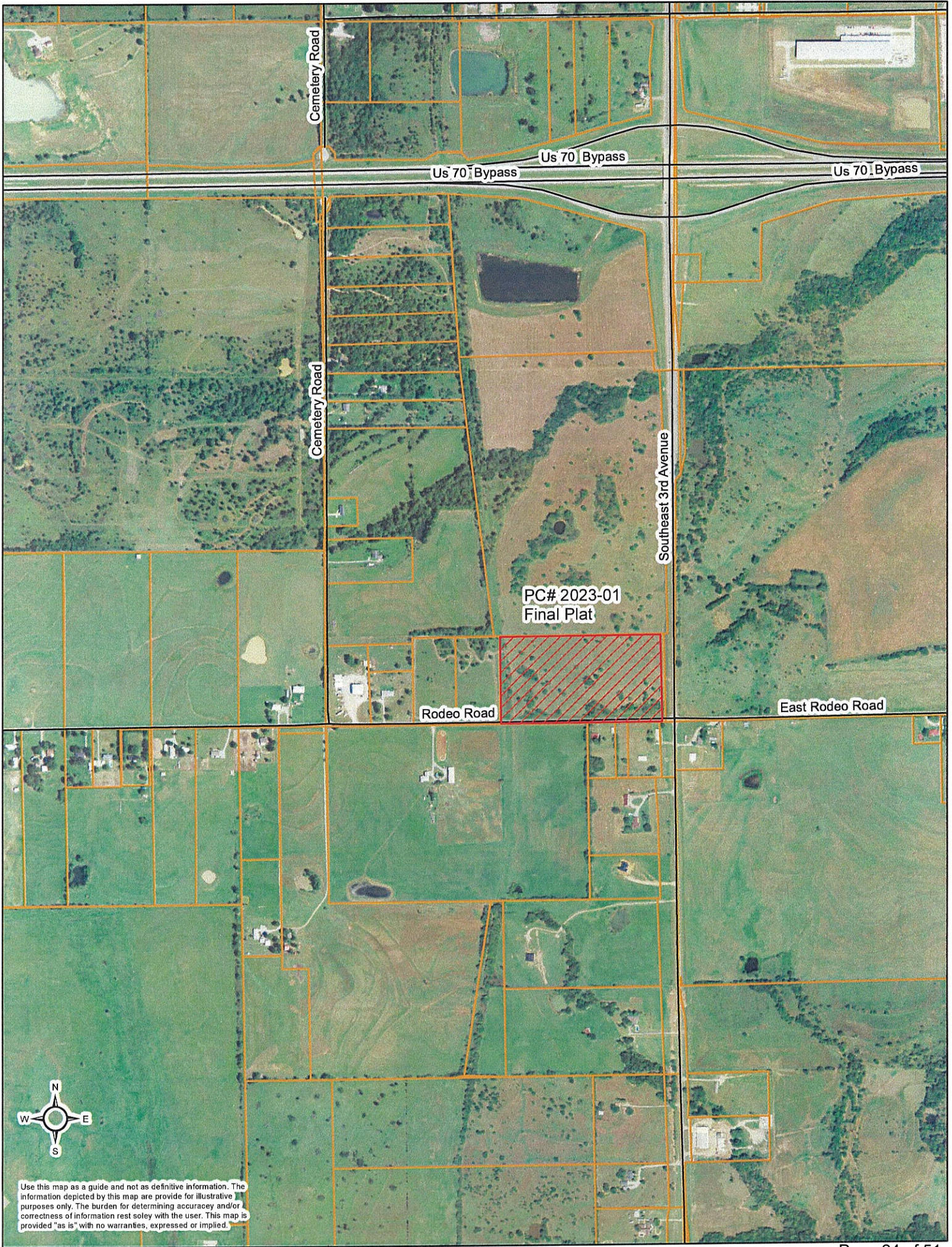
Notifications have been made to the surrounding property owners and at the time of this report staff has not received any phone calls or letters of support or protest regarding this rezoning request.

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 nearby but there is not City sewer nearby. The applicants will work with City Staff for any connections that will be needed. The applicants will need to work with the Oklahoma Department of Environmental Quality for septic/aerobic systems. 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.

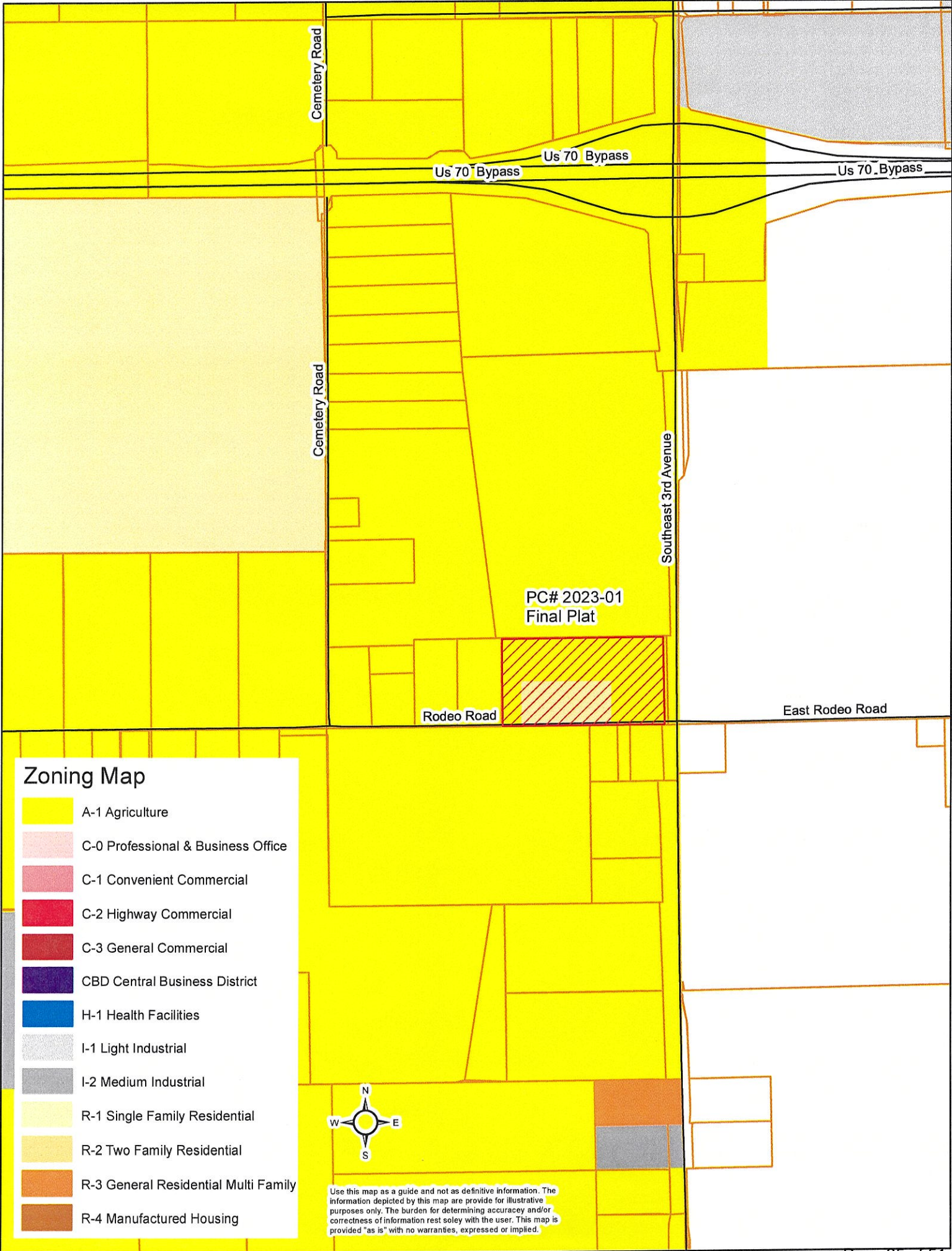
The current Land Use Map has this area as commercial uses; therefore, this request is partially in line with the Future Land Use Map.

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. Staff does recommend approval of the plat since it does meet all requirements should the rezoning request be approved. However, should the rezoning not be approved then staff recommends the plat be denied since it will not meet all requirements.

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.



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Us 70 Bypass

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Us 70 Bypass

Cemetery Road

Southeast 3rd Avenue

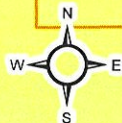
PC# 2023-01
Final Plat

Rodeo Road

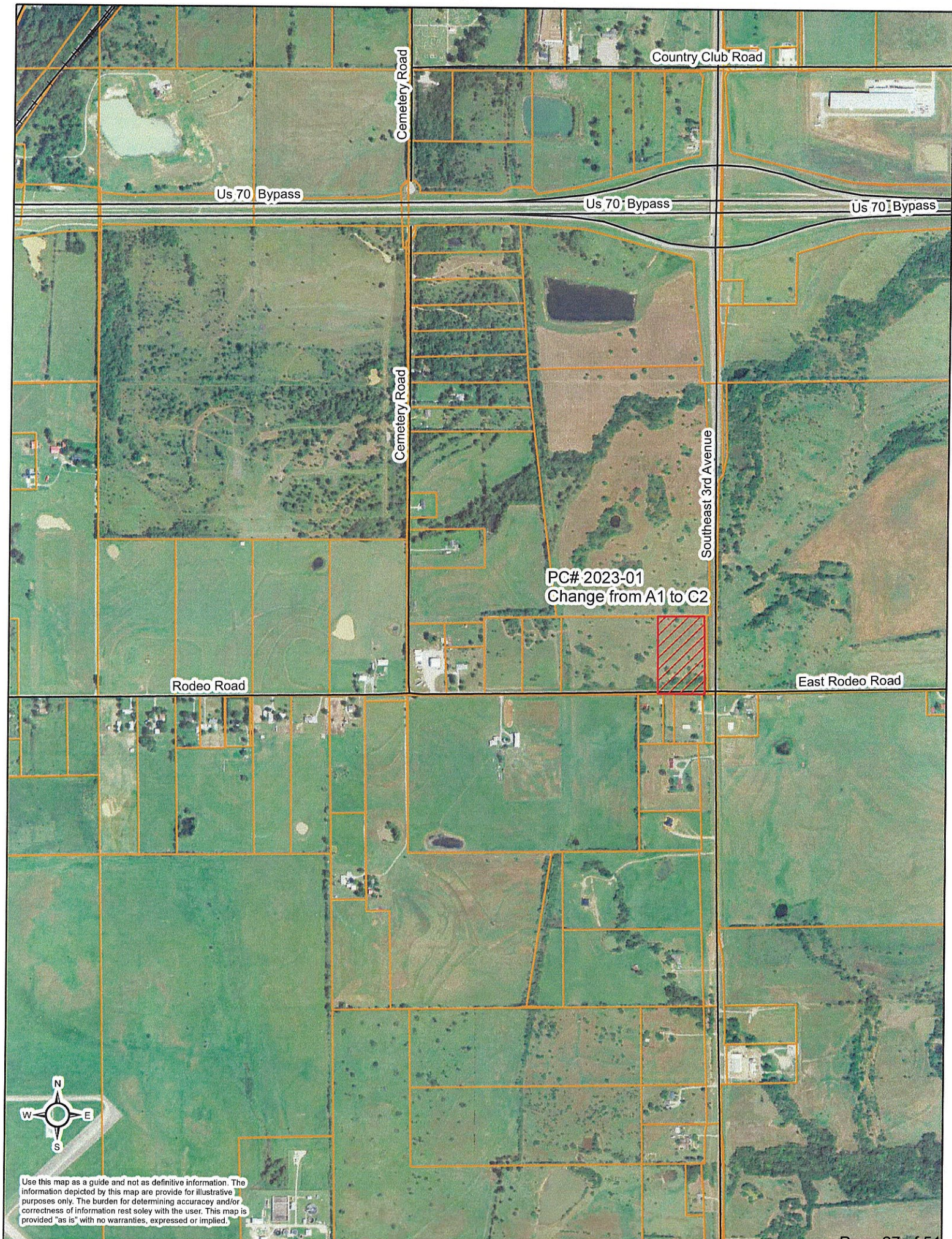
East Rodeo Road

Future Land Use

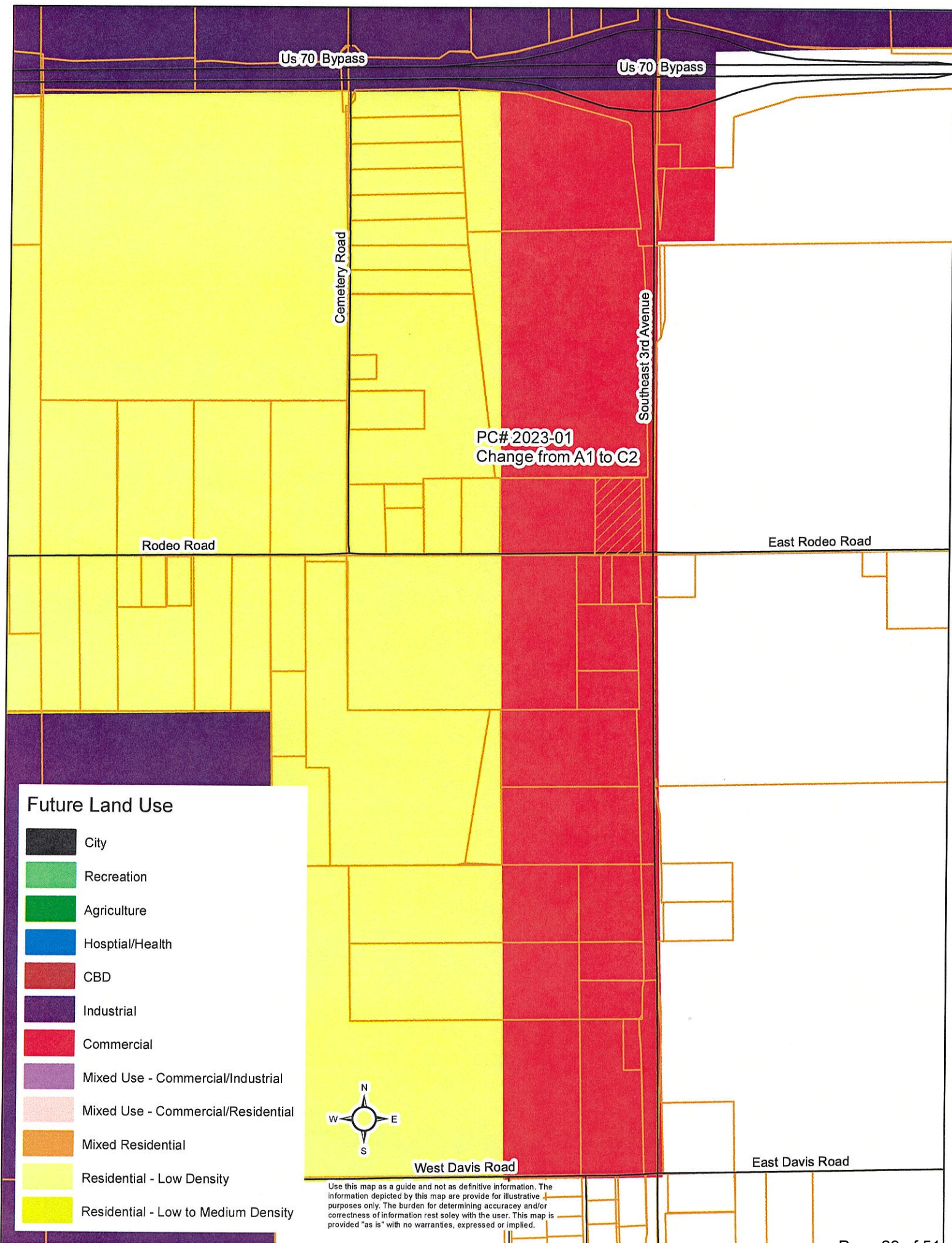
- City
- Recreation
- Agriculture
- Hospital/Health
- CBD
- Industrial
- Commercial
- Mixed Use - Commercial/Industrial
- Mixed Use - Commercial/Residential
- Mixed Residential
- Residential - Low Density
- Residential - Low to Medium Density



Use this map as a guide and not as definitive information. The information depicted by this map are provide for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is" with no warranties, expressed or implied.

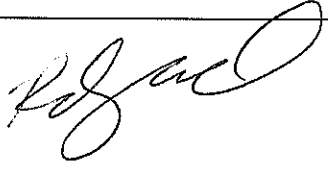
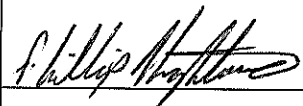
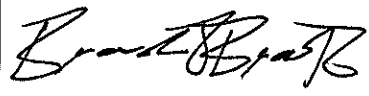
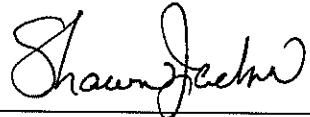


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COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET

Bronco Acres PC2023-01

Department	Signature	Date	Notes
Com Dev Director Danielle O'Neal	<i>see email</i>	<i>12-27-22</i>	
M&O Randy Cantrell		<i>12-14-22</i>	
Streets Carl Meade		<i>12-14-22</i>	
Public Works Director Phillip Hightower		<i>12-14-22</i>	
Fire Marshal Brandon Brooks		<i>12-14-22</i>	
Building Official Shawn Jackson		<i>12-14-2022</i>	
Engineer Brandon Wall	<i>see att email</i>	<i>12-27-22</i>	



Durant.org
Powered by Google

Audrey Hamilton <ahamilton@durant.org>

Bronco Acres Plat

1 message

Danielle O'Neal <doneal@durant.org>

Tue, Dec 27, 2022 at 4:03 PM

To: Audrey Hamilton <ahamilton@durant.org>, Kari Speers <kspeers@durant.org>

I do not have any comments regarding the Bronco Acres Plat. Staff will need to receive a DEQ permit should greater than 1 acre be disturbed. They will also need to abide by all setbacks.

Please print this out and scan this to me for the sign off sheet.

Thank you,
Danielle

--

Danielle O'Neal
Community Development Director

City of Durant
300 W. Evergreen
Durant, OK 74701
Phone: (580) 931-6613



Durant.org
Powered by Google

Audrey Hamilton <ahamilton@durant.org>

RE: Bronco Acres

1 message

brandon@wallengineering.com <brandon@wallengineering.com>

Tue, Dec 27, 2022 at 9:37 AM

To: Danielle O'Neal <doneal@durant.org>

Cc: Audrey Hamilton <ahamilton@durant.org>, Kari Speers <kspeers@durant.org>

I had no comments.

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

From: Danielle O'Neal <doneal@durant.org>

Sent: Tuesday, December 27, 2022 9:33 AM

To: Brandon Wall <brandon@wallengineering.com>

Cc: Audrey Hamilton <ahamilton@durant.org>; Kari Speers <kspeers@durant.org>

Subject: Bronco Acres

Good morning,

I was checking to see if you had any comments or concerns regarding the Bronco Acres subdivision or if you were ready to sign off on it.

As always, feel free to provide comments, questions or approvals via email.

Thank you

Danielle

--

Danielle O'Neal

Community Development Director

City of Durant

300 W. Evergreen

Durant, OK 74701

Phone: (580) 931-6613

Subdivision/Plat Application

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

Petition # _____
 Fee \$ _____
 Expedited Fee \$ _____

APPLICANT INFORMATION

Name: DH Modern Construction LLP	Email: dhmodernconstruction@gmail.com	Phone #1 904-661-9851
Mailing Address: 3324 Lazy Ln		Phone #2
City: Durant	State: OK	Zip: 74701
Applicant's Interest in Property:		Fax #

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
Surveyor Oklahoma License Number: C.A. No. 8279		Fax #

ENGINEER INFORMATION

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

LAND INFORMATION

Legal Description: The S/2, SE/4, SE/4 of section 8, Township 7 South, Range 9 East of The Indian and Meridian, Bryan County, Oklahoma.	Parcel Number:
Proposed Subdivision Name: Bronco Acres	Current Zone: R1 & Ag
Proposed Use: commercial, residential, and agricultural	Proposed Zone: C2, R1, & Ag
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: Donny Khavry Date: 11-25-22

Office Use Only

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

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.).

Screening, trash dumpsters, utilities, and drainage study will be provided according to the City of Durant ordinances.

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?

Building permits, and business licenses.

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

We are planing on keeping and maintaining the entire subdivision, this subdivision will be our future Investment.

REZONING APPLICATION

Petition # _____
Fee \$ _____

APPLICANT INFORMATION

Name: DH Modern Construction LLP	Email: dhmodernconstruction@gmail.com	Phone #1 904-661-9851
Mailing Address: 3324 Lazy Ln		Phone #2
City: Durant	State: OK	Zip: 74701
Applicant's Interest in Property: Owner		Fax #

___ 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: C2		
Present Use: Agriculture	Proposed Use: C2 Highway Commercial		
Parcel Width: 660	Parcel Length: 400	Acres: 6.068	Street/Road Frontage: 3 rd Ave.
<u>Durant</u> City Water (If City Water will be extended or improvements will be made, please explain:) No waterline improvements are required.			
_____ City Sewer (If City Sewer will be extended or improvements will be made, please explain:) 			
_____ 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.

Donny Khary
Signature of Applicant

11-25-2022
Date

Office Use Only

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

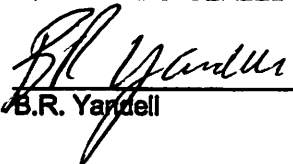
The S/2 SE/4 SE/4 of Section 8, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof, LESS AND EXCEPT a strip, piece or parcel of land lying in part of the S/2 SE/4 SE/4, Section 8, Township 7 South, Range 9 East, Indian Base 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

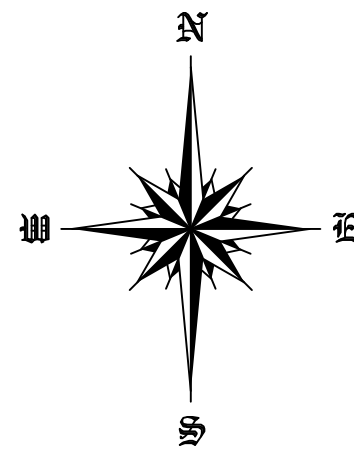
(SEAL)

File No.: 220310568



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

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



—BASIS OF BEARINGS—
OKLAHOMA STATE PLANE COORDINATE SYSTEM
OKLAHOMA SOUTH (SSS) (NAD 83)
BEARINGS DERIVED BY DIFFERENTIAL GPS
CONTROLLING CORNERS ARE EXISTING MONUMENTS FOUND AT THE
SECTION CORNERS AND THE QUARTER CORNERS OF SECTION 8.
TOWNSHIP 7 SOUTH, RANGE 9 EAST
INDIAN BASE AND MERIDIAN
BRYAN COUNTY, OKLAHOMA

Final Plat of Bronco Acres an addition to Durant, Oklahoma

MECKY YANDELL
B.R. YANDELL
VOL. 1516, PG. 342
O.P.R.B.C.O.

BUFFALO RURAL LLC
VOL. 1997, PG. 149
O.P.R.B.C.O.

SW CORNER
SECTION 8
T7S, R9E, W
5/8" STEEL
ROD FOUND

100' ROW DEED
BOOK 27, PAGE 438
O.P.R.B.C.O.

1/2" STEEL ROD
FOUND
LPLS 1827

SW CORNER
SECTION 8
T7S, R9E

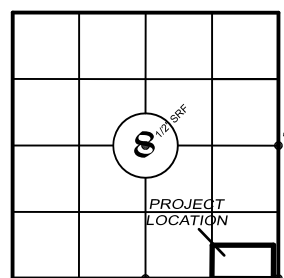
1/2" STEEL ROD
FOUND
LPLS 1827

STATE HIGHWAY NO. 78

1/2" STEEL
ROD FOUND

0 100 200
SCALE - 1" = 100'

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°19'41" W along the South line of said S/2 SE/4 SE/4, a distance of 64.89 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.

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

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

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: _____.

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 ____ day of _____, 2022.

ADOPTED by the Council of the City of Durant, Oklahoma this ____ day of _____, 2022.

City Clerk

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: _____.

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: _____.

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

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

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: _____.

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



THE CITY OF DURANT

Office of Community Development

Date: 01/03/2022
To: Planning Commission
Case: PC 2023-03
From: Danielle O'Neal, Community Development Director
Re: Rezoning Request from A-1, General Agriculture and C-2, Highway Commercial and Commercial Recreation Districts to C-2, Highway Commercial and Commercial Recreation District for property located near West Main Street and South 49th Avenue

Request: Consider a request from LMCA, LLC and Camille-Brooke, LLC for a rezoning of the property located near West Main Street and South 49th Avenue from A-1, General Agriculture and C-2, Highway Commercial and Commercial Recreation Districts to C-2, Highway Commercial and Commercial Recreation District

Current Zoning: A-1, General Agriculture and C-2, Highway Commercial and Commercial Recreation

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

Surrounding Properties:

Direction	Zoning	Use
North	C-2 / I-1 / A-1	Commercial Uses
West	C-2 / R-3	Vacant
South	A-1	Vacant / Residential Uses
East	C-2 / A-1	Storage facility / Vacant

Lot Characteristics:

Width	~ 1,286 ft.
Depth	~ 996 ft.
Total Area	~29.4 acres (~1,280,856 sq. ft.)

Applicant: LMCA, LLC and Camille-Brooke, LLC

Background: The applicants approached staff regarding the rezoning of this property with the intention of preparing the property for future commercial development as well as to fix having multiple zoning categories on one property.

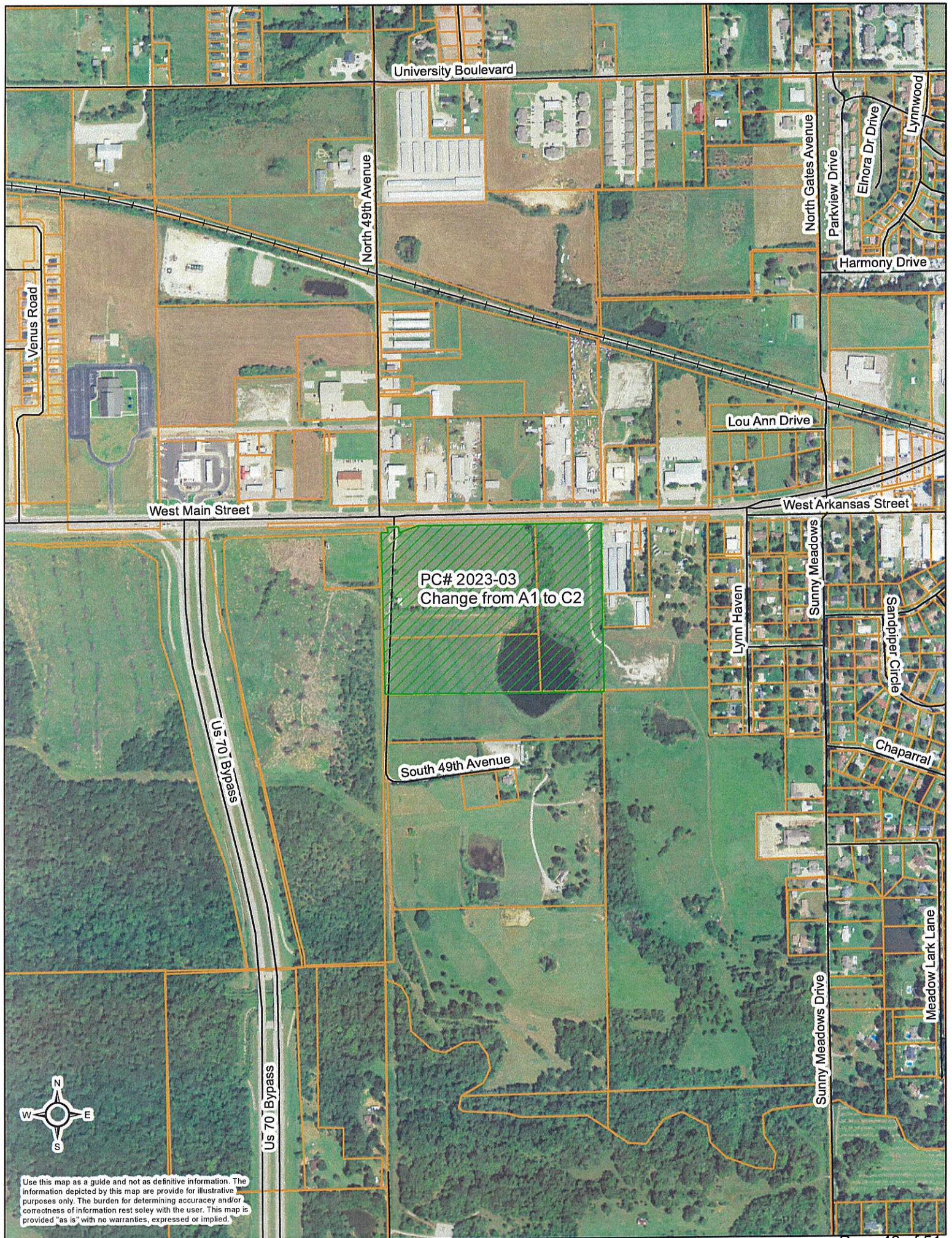
Notifications have been made to the surrounding property owners and at the time of this report staff has not received any phone calls, emails or letters regarding this rezoning request.

Analysis: The aforementioned property is approximately 29.4 acres and currently is a vacant piece of property. 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.

The current Future Land Use Map has this area as commercial and residential mixed-use; therefore, this rezoning request is generally in line with the Future Land Use Map.

Staff Recommendation: Staff recommends approval of the rezoning request since the property does meet the requirements for the requested zoning category, is generally in line with the Future Land Use Map and it will be fixing an area where there is multiple zoning categories on one lot.

Required Action: Hold a public hearing to recommend approval or denial of the rezoning request for the property located near West Main Street and South 49th Avenue. Any specific conditions imposed by the Commission should be read into any approval motion.



University Boulevard

North 49th Avenue

North Gates Avenue

Parkview Drive

Elnora Dr Drive

Lynnwood

Harmony Drive

Lou Ann Drive

West Arkansas Street

West Main Street

PC# 2023-03
Change from A1 to C2

Lynn Haven

Sunny Meadows

Sandpiper Circle

Chaparral

South 49th Avenue

Us 70 Bypass

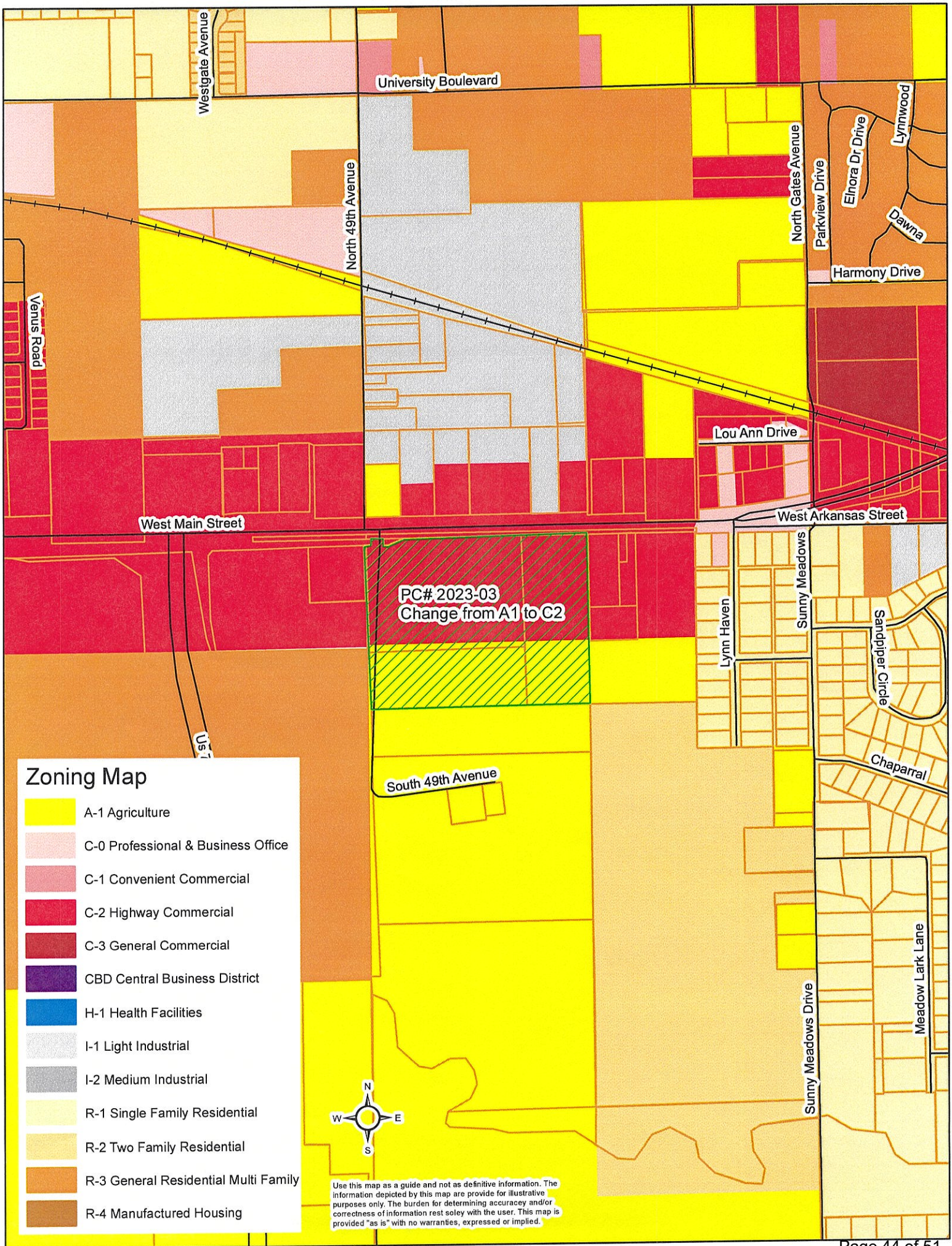
Us 70 Bypass

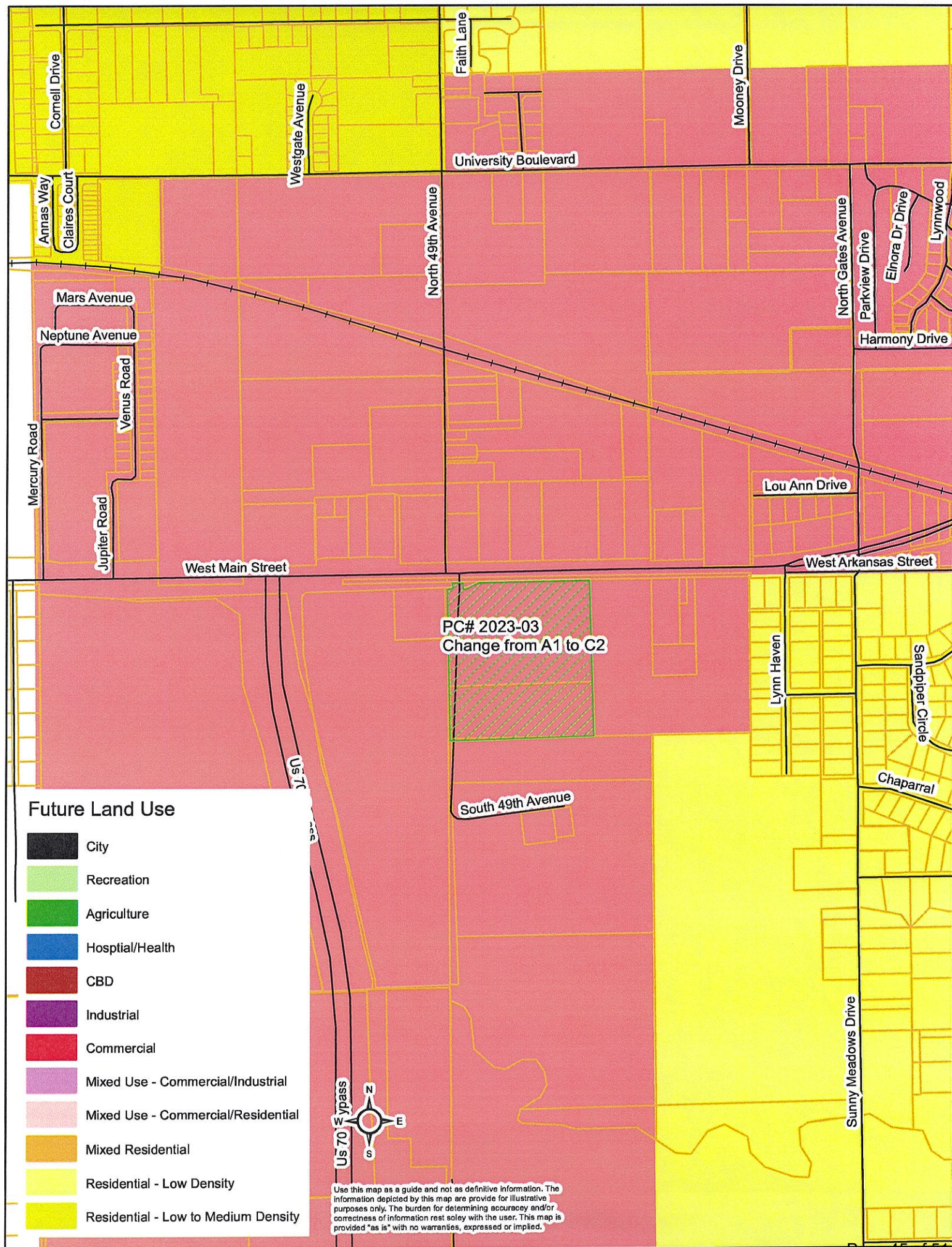
Sunny Meadows Drive

Meadow Lark Lane



Use this map as a guide and not as definitive information. The information depicted by this map are provide for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is" with no warranties, expressed or implied.





ORDINANCE NO. O-2023-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 NW/4 NW/4 of Section 36, Township 6 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma, and being part of the 21.24 acre tract of land conveyed by deed of record in Book 1069, Page 932 and being the same tract of land conveyed by deed of record in Book 1605, Page 706 and being a part of the 21.24 acre tract of land conveyed by deed of record in Book 1613, Page 28 and being more particularly described by metes and bounds as follows: Commencing at a ½ inch steel rod found at the Northwest corner of said Section 36; Thence South 00 degrees 49 minutes 43 seconds West along the West line of the NW/4 NW/4 of said Section 36 a distance of 64.26 feet to a ½ inch steel rod set with an aluminum cap marked Copley LPLS 1992 for the true Point of Beginning; Thence along the South right-of-way line of W. Highway No. 70 (W. Main St.) the following calls and distances: North 89 degrees 11 minutes 46 seconds East a distance of 30.00 feet to a ½ inch steel rod set with an aluminum cap marked Copley LPLS 1992; Thence North 00 degrees 49 minutes 43 seconds West a distance of 35.00 feet to a ½ inch steel rod set with an aluminum cap marked Copley LPLS 1992; Thence North 89 degrees 11 minutes 46 seconds East a distance of 75.00 feet to a ½ inch steel rod set with an aluminum cap marked Copley LPLS 1992; Thence South 00 degrees 49 minutes 43 seconds East a distance of 39.19 feet to a ½ inch steel rod set with an aluminum cap marked Copley LPLS 1992; Thence North 89 degrees 11 minutes 46 seconds East a distance of 26.48 feet to a ½ inch steel rod set with an aluminum cap marked Copley LPLS 1992; Thence North 67 degrees 29 minutes 13 seconds East a distance of 105.95 feet to a ½ inch steel rod set with an aluminum cap marked Copley LPLS 1992; Thence North 89 degrees 11 minutes 47 seconds East a distance of 1090.95 feet to a ½ inch steel rod set with an aluminum cap marked Copley LPLS 1992; Thence South 00 degrees 55 minutes 47 seconds East a distance of 1006.38 feet to a ½ inch steel rod set with an aluminum cap marked Copley LPLS 1992; Thence South 89 degrees 14 minutes 19 seconds West a distance of 402.40 feet to a point; Thence North 00 degrees 52 minutes 41 seconds West a distance of 0.79 feet to a point; Thence South 89 degrees 11 minutes 23 seconds West a distance of 920.25 feet to a ½ inch steel rod set with an aluminum cap marked Copley LPLS 1992; Thence North 00 degrees 49 minutes 43 seconds West along the West line of the NW/4 NW/4 of said Section 36 a distance of 970.39 feet to the Point of Beginning.

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 10th day of January, 2023.

Oden Grube, Mayor
City Of Durant, Oklahoma

ATTEST:

Cynthia J. Price, City Clerk

REZONING APPLICATION

APPLICANT INFORMATION

Petition # PC2023-03
Fee \$ 300.00

Name: CAMILLE-BROOKE, LLC & LMCA LLC		Email#	Phone #1 580-920-8859
Mailing Address: 2836 West University Blvd. - Suite 122		Phone #2	
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: South 49th and West Main Durant, OK			
☐ Platted	Subdivision		
☒ Un-Platted		Lot	Block
Legal Description: (If Un-platted) See attached "Exhibit A"			
Deed Attached (required) If applicant is not owner listed on deed, owner consent must be included.			

Request Rezoning From: A-1		Request Rezoning To: C-2	
Present Use: Undeveloped		Proposed Use: Commercial Development	
Parcel Width: 1006.38	Parcel Length: 1095.95	Acres: 30.422	Yes ☒ Street/Road Frontage:
☐ City Water (If City Water will be extended or improvements will be made, please explain:)			
☒ XX Rural Water #2			
☐ City Sewer (If City Sewer will be extended or improvements will be made, please explain:)			
☒ XX Septic			
☐ Private Water ☐ Private Sewer			
Is Property in the Floodplain? No	Is property in the Airport Zone. Yes		

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

By **Steve Reeves**, Manager Signature of Applicant **Steve Reeves** Date **12-1-22**
Manager LMCA LLC

Office Use Only: Date Filed	Date Payment Received	Not Date	Comments
Initial	Initial	Initial	
Proof of Publication Received	Property Posting Verified	Comprehensive Plan Recommendations	
Date Staff Recommendation ☐ Approve ☐ Deny	PC Recommendation ☐ Approve ☐ Deny	Date 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

ALL AROUND IS COMMERCIAL

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.

Yes it is.

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

Property to the east is zoned Commercial
Property to the north on Hwy 70 is zoned C-2

RETURN TO:
Steve Reeves
2836 West University Blvd.
Suite 122
Durant, OK 74701

1-2022-750568 Book 1617 Pg: 784
12/05/2022 10:49 am Pg 0784-0785
Fee: \$ 20.00 Doc: \$ 0.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That LMCA, LLC and CAMILLE-BROOKE, LLC, parties of the first part, in consideration of the sum of Ten and More (\$10.00) Dollars, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto LMCA, LLC. and CAMILLE-BROOKE, LLC, parties of the second part, the following described real property and premises situated in the County of Bryan, State of Oklahoma, to-wit:

Being a part of the NW/4 NW/4 of Section 36, Township 6 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma and being a part of the 21.24 acre tract of land conveyed by deed of record in Book 1069, Page 932 and being the same tract of land conveyed by deed of record in Book 1605, Page 706 and being a part of the 21.24 acre tract of land conveyed by deed of record in Book 1613, Page 28 and being more particularly described by metes and bounds as follows:

At the Northwest Corner of said Section 36; Thence South 00° 49' 43" West, along the west line of the NW/4 NW/4 of said Section 36, a distance of 64.26 feet for the **True-Point-of-Beginning**;

Thence along the south right-of-way line of W. Highway No. 70 called (W. Main Street) **THE FOLLOWING CALLS AND DISTANCES**:

North 89° 11' 46" East, a distance of 30.00 feet;

North 00° 49' 43" West, a distance of 35.00 feet;

North 89° 11' 46" East, a distance of 75.00 feet;

South 00° 49' 43" East, a distance of 39.19 feet;

North 89° 11' 46" East, a distance of 26.48 feet;

North 67° 29' 13" East, a distance of 105.95 feet;

North 89° 11' 47" East, a distance of 1,090.95 feet;

Thence
South 00° 55' 47" East, a distance of 1,006.38 feet;

Thence
South 89° 14' 19" West, a distance of 402.40 feet to a point;

Thence
North 00° 52' 41" West, a distance of 0.79 feet to a point;

Thence
South 89° 11' 23" West, a distance of 920.25 feet;

Thence
North 00° 49' 43" West, along the west line of the NW/4 NW/4 of said Section 36, a distance of 970.39 feet to the **Point-of-Beginning** and containing 30.422 acres of land.

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

Benevolent Transfer

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, their successors, trustees 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, LESS AND EXCEPT easements and rights-of-way of record, AND FURTHER LESS AND EXCEPT ANY OUTSTANDING OIL, GAS AND OTHER MINERAL INTERESTS.

SIGNED AND DELIVERED this 1st day of December, 2022.

LMCA, LLC.

Todd Cavender
Todd Cavender, Manager

CAMILLE-BROOKE LLC.

Steve Reeves
Steve Reeves, Manager

STATE OF OKLAHOMA

COUNTY OF BRYAN

} SS. ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this 1st day of December, 2022, personally appeared Todd Cavender, Manager for LMCA LLC, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that Todd Cavender, Manager for LMCA LLC executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.



WITNESS MY HAND AND SEAL the day and year last above written.

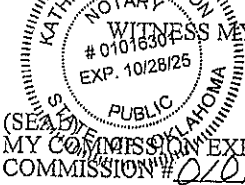
Kathryn Anderson
NOTARY PUBLIC

STATE OF OKLAHOMA

COUNTY OF BRYAN

} SS. ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this 1st day of December, 2022, personally appeared STEVE REEVES, MANAGER for CAMILLE-BROOKE LLC., to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that Steve Reeves, Manager for Camille-Brooke LLC executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.



WITNESS MY HAND AND SEAL the day and year last above written.

Kathryn Anderson
NOTARY PUBLIC

1-2022-750568 Book 1617 Pg: 785
12/05/2022 10:49 am Pg 0784-0785
Fee: \$ 20.00 Doc: \$ 0.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

§ 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)