

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**

June 27, 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 May 2, 2023

2. Consider Items Removed from Consent

3. Information Items

4. Administration

- a. Discussion, Consideration and Possible Action on an Amendment to Section 156.137 (Buildings) of the Durant Code of Ordinances.
- b. Discussion, Consideration and Possible Action on an Amendment to Section 157.035 (District Regulations) of the Durant Code of Ordinances.
- c. Discussion, Consideration and Possible Action on an Amendment to Section 156.034 (Uses Permitted in Districts) of the Durant Code of Ordinances.

5. Public Hearings

- a. Discussion, Consideration and Possible Action on PC2023-09, a Rezoning Request from C-3, General Commercial to I-1, Light Industrial for property located near South 9th Street and Alabama Street.
- b. Discussion, Consideration and Possible Action on PC2023-13, a Rezoning Request from R-3, General Residential to C-0, Professional and Business

Office for property located at 817 W. Evergreen.

- c. Discussion, Consideration and Possible Action on PC2023-14, a Re-Plat Request for property located near West Elm Street and North 16th Avenue.
- d. Discussion, Consideration and Possible Action on PC2023-15, a Rezoning Request from A-1, General Agriculture to R-1, Single-Family Residential for property located near Larskpur Land and Overland Drive.
- e. Discussion, Consideration and Possible Action on PC2023-16, a Planned Unit Development (PUD) and Preliminary Plat Request for property located near Lindenwoods Drive and Thomas Circle.
- f. Discussion, Consideration and Possible Action on PC2023-17, a Preliminary Plat Extension for property located near Larkspur Lane and Wilson Street.

6. New Business

ADJOURNMENT

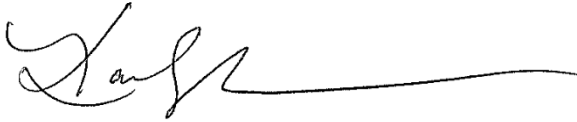
CERTIFICATE

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 2nd day of November, 2022 and that an agenda of said meeting was posted at the place of such meeting at 1:00 p.m. on the 23rd day of June, 2023.



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 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 28th day of April, 2023.



Kari Speers, City of Durant

MINUTES OF THE MEETING OF DURANT PLANNING COMMISSION
May 2, 2023 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 5:36 p.m.

INVOCATION/FLAG SALUTE

Commission Member Horner provided the invocation. Vice Chairman Knight led the flag salute.

ROLL CALL

Present:

Planning Commissioner Thomas Newsom (left meeting at 5:58 p.m.)

Planning Commissioner Whitney Kerr

Planning Commissioner Clent Horner (left meeting at 5:58 p.m.)

Planning Commission Vice Chairman Shane Knight

Planning Commission Chairman Drew Jackson

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 April 4, 2023
Motion was made by Vice Chairman Knight and seconded by Commission Member Horner to approve the minutes as presented.

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Horner, Knight, Jackson

Nays: None

Abstain: None

2. Consider Items Removed from Consent

3. Information Items

4. Administration

Motion was made by Chairman Jackson and seconded by Commission Member Horner to move to hear Item 5A before Item 4A on the agenda.

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Horner, Knight, Jackson

Nays: None

Abstain: None

Commission Member Horner and Commission Member Newsom left the meeting at 5:58 p.m.

a. Discussion, Consideration and Possible Action on an Amendment to Section 156.137 (Buildings) of the Durant Code of Ordinances

Since the last meeting, staff has looked further into how other cities handle having multiple buildings on one lot as it pertains to lot coverage including handling the number of structures per lot. Based on the cities that were examined, some still had where there was only one principal structure per lot, while others were moving into a similar direction that we are. How they are getting there has been done in a variety of ways. A couple cities uses tables within their ordinances to describe each of the zoning districts to clarify the density and lot coverages. Others focus on using the lot coverage percentages. Staff's thoughts include adding some lot coverage percentages in one of the zoning districts that we currently do not have any and staff added a sentence that states that all zoning requirements within each of the appropriate zoning districts shall be met. Since we are working on the full update of the land use ordinances, this will be something we can use as a bridge until we get the full update completed. Staff has been working and researching ordinances that need to be updated and working alongside of Crafton Tull who is working on updating all of our Land Use Ordinances. It was

requested that staff examine the ordinance pertaining to the number of buildings allowed on a lot. What staff has done in recent years should someone come in with a project that has multiple buildings on one lot was to have them apply for a Planned Unit Development should the project fit that criteria. The proposed fixes should help until the complete update of the land use ordinances is completed. The proposed language changes are attached to this staff report. Staff does not have any issues with this change, and recommends the approval because it will help staff as well as developers. This ordinance will allow for more flexibility.

Motion was made by Vice Chairman Knight and seconded by Commission Member Kerr to table the request as presented to the June 27, 2023 meeting with the recommendation that we reword this 156.137 to reference the percentage of lot coverage for multiple buildings and the change in the table 157.032.

Motion Passed with the following vote:

Ayes: Kerr, Knight, Jackson

Nays: None

Abstain: None

5. Public Hearings

- a. Discussion, Consideration and Possible Action on PC2023-10, a Planned Unit Development (PUD) request for property located near University Boulevard and Criswell Boulevard.

Danielle O'Neal review with the Planning Commission members a request from Wu-Ye Gao and Wu Enterprise for a Planned Unit Development for property located near University Boulevard and Criswell Boulevard. The applicant approached staff regarding a request for a Planned Unit Development (PUD) to place multiple buildings on the lot that will be a new commercial retail development. Intended uses will be retail business and restaurant hospitality. The timing of development hinges upon approval, should that occur, they would then work on gaining approval of a building permit. The aforementioned property is approximately 4.65 acres and there are currently three lots with individual houses on the lots. This PUD process will also join the three lots together. The surrounding area is made up of Commercial and Single Family Residential Zoned properties. The subject property does meet the requirements that is required within the requested Planned Unit Development. Staff members have reviewed and signed off supporting this project. The development will need to meet the required setbacks and parking as required within ordinance. There is city water and sewer service available for this development. The Maintenance and Operations Supervisor made a note that the water will need to come across University Boulevard. Applicant will need to work with staff on connection and timing of the connection. A master meter for water service is strongly recommended. The fire marshal made a note that the construction will need to meet the 2018 IFC (International Fire Code) Appendix B, C and D. The site plan shall show location and distance to nearest fire hydrant. This all

will be completed during the plan review portion of the process. The current Future Land Use Map has this area as commercial land uses; therefore, this PUD request is 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 or letters regarding this request.

Danny Khoury spoke regarding the need for a turn lane into the Planned Unit Development.

Tom Marcum spoke regarding the need for a turn lane into the Planned Unit Development.

Shane Knight spoke regarding the architectural design of the project.

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

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Horner, Jackson

Nays: None

Abstain: Knight

6. New Business

There was no new business.

ADJOURNMENT

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

Motion Passed with the following vote:

Ayes: Kerr, Knight, Jackson

Nays: None

Abstain: None



THE CITY OF DURANT

Office of Community Development

Date: 06/27/2023
To: Planning Commission
From: Danielle O'Neal, Community Development Director
Re: Discussion of Zoning Ordinance – Buildings

May Update: Since the last meeting, staff has looked further into how other cities handle having multiple buildings on one lot as it pertains to lot coverage including handling the number of structures per lot. Based on the cities that were examined, some still had where there was only one principal structure per lot, while others were moving into a similar direction that we are. How they are getting there has been done in a variety of ways. A couple cities use tables within their ordinances to describe each of the zoning districts to clarify the density and lot coverages. Others focus on using the lot coverage percentages. Staff's thoughts include adding some lot coverage percentages in one of the zoning districts that we currently do not have any and staff added a sentence that states that all zoning requirements within each of the appropriate zoning districts shall be met. Since we are working on the full update of the land use ordinances, this will be something we can use as a bridge until we get the full update completed.

Information: Staff has been working and researching ordinances that need to be updated and working alongside of Crafton Tull who is working on updating all of our Land Use Ordinances. It was requested that staff examine the ordinance pertaining to the number of buildings allowed on a lot.

What staff has done in recent years should someone come in with a project that has multiple buildings on one lot was to have them apply for a Planned Unit Development should the project fit that criteria. The proposed fixes should help until the complete update of the land use ordinances is completed. The proposed language changes are attached to this staff report.

Staff Recommendation: Staff does not have any issues with this change, and recommends the approval because it will help staff as well as developers. This ordinance will allow for more flexibility.

Required Action: Hear the item and recommend approval or denial of the change to Ordinance §156.137. Any specific conditions imposed by the Commission should be read into any approval motion.

ORDINANCE NO. 0-2023-04

**AN ORDINANCE OF THE CITY OF DURANT, OKLAHOMA, AMENDING
THE CODE OF ORDINANCES OF THE CITY OF DURANT, OKLAHOMA,
SECTIONS 156.137 AND DECLARING AN EMERGENCY**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
DURANT, OKLAHOMA:**

SECTION I. ENACTMENT.

That the Code of Ordinances, Sections 156.137 amended to read as follows:

§156.137 Buildings

For all zoning districts, aAny building hereafter erected or structurally altered shall be located completely within the boundary of the parcel being developed. on one lot and except as provided herein For residential development within the of all single-family detached housing and single-family attached housing containing four (4) units or fewer (duplexes, triplexes, quadplexes, and/or townhomes). ; there shall be no more than one principal building per lot. All other zoning requirements within each of the appropriate zoning districts shall be met. Customary accessory buildings are permitted on the lot, and the customary accessory buildings on one lot; provided further that accessory buildings may not be erected or placed in the front and side yard areas as required in the separate districts. Commercial, industrial and multifamily developments of more than four (4) units may utilize multiple principal buildings, provided that all zoning district requirements are met. The exterior wall and opening protection of the new and existing building(s) must be erected and/or remain in compliance with the provisions of the International Building Code as adopted by the City of Durant.

SECTION 2. EMERGENCY.

It being immediately necessary for the preservation of the public health, peace and safety of the City of Durant and inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

PASSED AND APPROVED this 9th day of May 2023, with the Emergency Clause passed separately.

CITY OF DURANT

Martin Tucker, Mayor

ATTEST:

Cynthia J. Price, City Clerk



THE CITY OF DURANT

Office of Community Development

Date: 06/27/2023
To: Planning Commission
From: Danielle O'Neal, Community Development Director
Re: Discussion of Zoning Ordinance – Building / Lot Coverage

Information: Staff has been working and researching ordinances that need to be updated and working alongside of Crafton Tull who is working on updating all of our Land Use Ordinances. It was requested that staff examine the ordinance pertaining building / lot coverage.

The conversation occurred during the research of having multiple buildings on a lot in certain areas, and there was concern that someone would try to cover their entire lot with buildings. Further conversation occurred that asked for staff to look at how other cities handle the building / lot coverage; therefore, staff has completed the research and found that in some areas, we are higher and others we are very similar to other cities. Staff changed some of the percentages in area that were significantly different from what other cities had.

Staff Recommendation: Staff does not have any issues with this change, and recommends the approval since this will be something else that will help development and help update some of the current ordinances.

Required Action: Hear the item and recommend approval or denial of the change to Ordinance §156.035. Any specific conditions imposed by the Commission should be read into any approval motion.

ATTACHMENT A

§ 157.032 DISTRICT REGULATIONS.

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

Zoning Districts	Lot Area Min.	Lot Width at Front Building Line (A)	Building Coverage (%)	Impervious Coverage (%)	Front (B)	Yards Min. Setback Side Interior		Exterior	Rear	Height Max.
						Adj. Res. District	Adj. Non-Res. District			
A-1 Agriculture	5 acres	150'	30% incl. acc. bldg.		50'	25'	25'	25'	50'	35'
R-1 Single-Family Residential	8,400 sq. ft.	70'	30%	None	30' incl. dbl. front.	5'C	5'C	15'	20'	35'
R-2 Two-Family Residential	6,000 sq. ft. (Single-family dwellings)	60'	35%	None	25' incl. dbl. front.	5'C	5'C	15'	20'	35'
	8,000 sq. ft. + (Duplex and two-family dwellings)	80'	35%	None	25' incl. dbl. front.	5'C	5'C	15'	20'	35'
R-3 General Residential (F)	6,000 sq. ft. (Single-family dwellings)	50'	50% 40%	None	25' incl. dbl. front.	5'C	5'C	15'	20'	35'
	8,000 sq. ft. + (Duplex and two-family dwellings)	70'	50% 40%	None	25' incl. dbl. front.	5'C	5'C	15'	20'	35'
	8,000 sq. ft. + 1,200 sq. ft./unit over 2 (All other developments)	80'	50%	75%	25' incl. dbl. front.	15'C or 1'1/1' ht.	15'C or 1'1/1' ht.	15'	20'	35'
R-4 Manufactured Homes	See Regulations									
C-O Prof. & Bus. Offices	10,000 sq. ft.	70'	75% 50%	None	53'	10'	10'	35'D	10'	35'
C-1 Convenience Comm.	12,000 sq. ft.	100'	50% 40%		50'	10'	1'1/1' ht.	15'	20'	35'
C-2 Highway Commercial & Comm. Recreation	10,000 sq. ft.	100'	70% 40%		25'	1'1/1' ht.	10'	15'	20'	45'
C-3 General Commercial	8,000 sq. ft.	80'	None 30%		25'	1'1/1' ht.	10'	15'	20'	35'
Central Business (CBD)	None	None	None		None	1'1/1' ht.	None	None	None	None

Zoning Districts	Lot Area Min.	Lot Width at Front Building Line (A)	Building Coverage (%)	Impervious Coverage (%)	Front (B)	Yards Min. Setback Side Interior		Exterior	Rear	Height Max.
						Adj. Res. District	Adj. Non-Res. District			
I-1 Light Industrial	None	None	60% 40%	90%	35'	1 1/1' ht.	10'	15'	20'	None
I-2 Medium Industrial	None	None	60% 40%	90%	30'	1 1/1' ht.	10'	15'	20'	None
H-1 Health Facilities	None	None	None		25'	1 1/1' ht. E	10	15' ^E	20' ^E	25' ^E

Notes:

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

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



THE CITY OF DURANT

Office of Community Development

Date: 06/27/2023
To: Planning Commission
From: Danielle O'Neal, Community Development Director
Re: Discussion of Zoning Ordinance – Health Club / Gymnasium

Information: Staff has been working and researching ordinances that need to be updated and working alongside of Crafton Tull who is working on updating all of our Land Use Ordinances. It was discovered during a Certificate of Occupancy process that we currently have health clubs / gymnasiums allowed in C-2, Highway Commercial & Commercial Recreation as well as the Central Business District, but it is a restricted use in the C-3, General Commercial District. Staff does not completely understand how a use could be allowed within what is generally a more restrictive district but as a restricted use in a less restricted district. Therefore, staff wanted to be able to have a conversation with the Planning Commission about this particular use.

Staff recommends that the restricted use in the C-3, General Commercial District be changed to allowed by right.

Staff Recommendation: Staff does not have any issues with this change, and recommends the approval since this will clarify this particular use.

Required Action: Hear the item and recommend approval or denial of the change to Ordinance §156.034. Any specific conditions imposed by the Commission should be read into any approval motion.

§ 156.034 USES PERMITTED IN DISTRICTS.

(A) (1) The uses permitted in the various districts are shown in division (C) below. The uses permitted in a more restricted district may be permitted in a less restricted district within the same zoning category; provided, however, that the yard space and other requirements of the more restricted district shall apply. For purposes of applying this rule, the following shall apply:

- a) each district shown in the subsequent list shall be considered to be more restrictive than the one listed to the right and,
b) zoning categories shall consist of the following:

1. Residential – Districts A-1, R-1, R-2, R-3, and R-4.
2. Commercial – Districts C-0, C-1, C-2, C-3, and CBD.
3. Industrial – Districts I-1 and I-2.
4. Other – District H-1.

(2) Adult-oriented establishments as defined by § 110.100 of this code of ordinances shall not be located within any use district except as indicated on the table in this section.

(B) It is intended that these regulations be interpreted as permitting a dwelling unit to be located on the same lot with or within a structure used or intended to be used primarily for nonresidential purposes only upon individual review and approval by the Planning and Zoning Commission and the City Council.

(C) The city is hereby divided into 13 use districts. The most restrictive use district being R-1 and the least restrictive being I-2. The permitted uses of each use district in order of restriction are designated on the following graph as follows.

Permitted Uses	Special Provisions		Residential Districts					Commercial Districts					Industrial Districts		Other
	Special Conditions See §	Parking Spaces Required	A1	R1	R2	R3	R4	C0	C1	C2	C3	CBD	I1	I2	H1
Accessory uses, incidental to those listed	None	1/200 sq. ft. of occupancy area	X	X	X	X		X	X	X	X	X	X	X	R
Adult-oriented establishment	110.100									X					
Advertising signs or structures	Chapter 158	None	X	X	X	X		X	X	R	X	X			X
Agriculture: farming, dairying, horticulture, animal and poultry, husbandry, excluding the feeding of offal or garbage	None	1/400 sq. ft. GFA	X												
Agriculture: gardening, not commercial	None	1/400 sq. ft. GFA	X	X	X	X									
Ambulance service, office or garage	None	1/500 sq. ft. GFA or 1/employee +1/vehicle operated in use								X	X	X			R
Amusement enterprises	None	1/200 sq. ft. GFA+ 1/3 occupants at max. occupancy								X	X	X			
Artificial limbs, orthopedic appliances	None	1/150 sq. ft. GFA													R
Artist supplies and hobby shops	156.057	1/100 sq. ft.							X	X	X	X			
Assisted living facility	None	1/bed + 1/each employee on max. shift				R			X	X	X	R			X

Athletic fields	156.060	20/field or 1/4 seats, whichever is greater	X	R	R	R	R	R	R	R	R	R		R	R	R
Automotive rental and sales, new and used	None	1/150 sq. ft. GSA+ 1/vehicle offered for sale or rent + 1/each employee on max. shift									X	X				
Automotive service	156.057	1/300 sq. ft. + 1/each employee on max. shift + 1/each vehicle in operation + 1/each vehicle being serviced								X	X	X				
Automotive wrecking and junk yards	156.060	1/300 sq. ft. +1/ employee on max. shift + 1/each vehicle used in operation of use + 1/each vehicle being serviced or processed													X	
Bakery shop	None	1/200 sq. ft. GSA + 1/ employee								X	X	X	X			
Banks, saving institutions	None	1/200 sq. ft. + 6 stacking spaces for 1st drive-in window and 4 stacking spaces for each add'l drive-in window							R	X	X	X	X			
Banquet, exhibition, meeting and reception halls	156.060	1/4 persons based on design capacity of building, or 5/1,000 sq. ft. GFA, whichever is greater			R	R				X	X	X	X			
Barber, beauty shops	156.051	1/200 sq. ft. GSA + 1/ employee								X	X	X	X			R
Bars and taverns (Accessory use for restaurants only)	156.052										X	X	X			
Bars and taverns (drinking places)	156.052										R	R	X			
Beer and ale wholesalers		1/ employee on max. shift + 1/150 GSA												X	X	

Beer, wine, and liquor stores		5.5 spaces per 1,000 sq. ft. GFA								R	R	R	R			
Blacksmiths	None	1/1,000 sq. ft. + 1 dock/ 25,000 sq. ft.													X	
Boarding houses	None	1/resident owned or operated vehicle					X				X					
Boat sales, rental or service	None	1/150 sq. ft. GLA + 1/vehicle for sale or rent + 1/ employee +1/vehicle serviced									X	X				
Body painting studio	156.067	6/chair +1/ employee									R	R		R	R	
Body piercing studio	156.067	6/chair +1/ employee									R	R		R	R	
Bookstore	None	1/150 sq. ft. GSA								X	X	X	X			
Bottled water manufacturing		1/ employee on max. shift + 1/150 GSA												X	X	
Bowling alley	None	5/lane + 1/ employee + otherwise required as per accessory use GFA									X	X	X			
Breweries		1/ employee on max. shift + 1/150 GSA												X	X	
Building materials	156.063	1/1,000 sq. ft. + 1 berth/ 25,000 sq. ft.									X			X	X	
Bulk fuel sales	156.058 156.060	1/1,000 sq. ft. + 1 dock/ 25,000 sq. ft.													X	
Bus terminal	None	1/150 sq. ft.									X	X	X	X		
Cafeterias	156.052										X	X				
Cafeterias (Accessory use)	156.052							X	X	X	X	X	X	X	X	
Canning, preserving factory	156.058	1/3 employee + 1 dock/ 25,000 sq. ft.													X	

Car wash	None	1/ employee, 4/ washing bay, 2/ drying stall								X						
Caterers		1/ employee, + 1/every vehicle customarily used in operation of the use or stored on the premises								X	X	X	X			
Cemetery	156.060	1/ employee	X													
Child care center	156.070	1/10 attendees +1/ employee				R		X	X	X	X	X	R	R	R	
Child care center (accessory use)	156.065	1/10 attendees + 1/ employee	X	X	X	X	R	X	X	X	X	X	R	R	X	
Clothing, wearing apparel store	None	1/200 sq. ft.							X	X	X	X				
Cold storage plants	156.058	1/500 sq. ft.											R	X		
Commercial radio/ television antenna towers & equipment	153.01 153.10	1/1,000 sq. ft. + 1 loading berth/ 25,000 sq. ft.	R										X	X		
Compounding, processing and blending chemical products, not including explosives	156.058	1/every 3 employees + 1/loading berth/ 25,000 sq. ft.											X			
Contractor's yard	None	1/ employee + 1/facility vehicle (vehicle operated in use) + 1/1,000 SF GLA + 1 loading berth											X	X		
Convalescent, rest or nursing home	None	1/6 beds + 1/each employee + 1 reserved for doctor + 1 loading space													R	
Convenience store	156.057	1/100 sq. ft. GSA							X	X	X	X				
Dairy products store	156.057	1/150 sq. ft.							X	X	X	X				
Dance hall (see also tavern)	None	1/150 sq. ft.								X	X					

Delicatessen	156.057	1/200 sq. ft. GFA 1/ employee								X	X	X	X			
Dental lab, supply house	None	1/300 sq. ft. GFA														R
Department store	None	1/150 sq. ft. GSA 1/ employee									X	X	X			
Distilleries		1/ employee on max. shift + 1/150 GSA												X	X	
Drug store	156.057	1/150 sq. ft. GSA								X	X	X	X			
Dwelling, duplex (two family) ²	156.072	2/dwelling unit			X	X							R			
Dwelling, multi- family (development of less than three acres in size)	156.072	2.5/ dwelling unit				R							R			
Dwelling, multi- family (development of more than three acres in size)	156.072	2.5/ dwelling unit				X							R			
Dwelling, multi- family, townhome						X										
Dwelling, rooming, boarding houses, and dormitories	None	.5/guest + .75/ occupant				X										
Dwelling, single- family	None	2/dwelling unit	X	X	X	X							X			
Family child care home	156.070	None	X	X	X	X	R									
Feed store	None	1/150 sq. ft. GFA									X	X	X			
Florist shop	156.057	1/150 sq. ft. GFA								X	X	X	X			
Food service contractors		1/ employee, + every vehicle customarily used in operation of the use or stored on the premises									X	X				
Food store	156.057	1/150 sq. ft. GSA								X	X	X	X			
Furniture store	None	1/500 sq. ft. GSA								X	X	X	X			
Furniture repair and upholstery	None	1/200 sq. ft. GSA									X	X	X			

Funeral parlor/chapel	None	1/150 sq. ft. GSA 1/4 seats chapel								X	X				
Garden stores, nursery, or greenhouse	None	1/250 sq. ft. GFA								X	X				
Gift shop	156.057	1/200 sq. ft.							X	X	X	X			
Golf course or country club for recreation, commercial activity accessory, excludes driving range, pitch & putt, and miniature	None	1/150 sq. ft. GFA	X	R	R	R									
Golf course, miniature or practice range	None	1/150 sq. ft. GFA								X	X				
Hardware store	156.057	1/250 sq. ft. GSA 1/ employee								X	X	X			
Health club or gymnasium	None	1/ employee + 1/patron (based on occupancy load)							R	X	R X	X			
Heating and plumbing sales and service	None	1/150 sq. ft. GSA								X	X	X			
Home occupations	156.051	1/resident owned or operated vehicle		R	R	R									
Hospital	None	1/4 beds + 1/Dr. on staff + 1/3 employees + 1 emergency vehicle space													X
Hospital, small animals	156.060	1/150 sq. ft. + 4/Dr. + 1/employee GSA								X	X				
Hotel/motel	156.071	1/room + 1/ employee on max shift + as required for accessory uses								X	X	X			
Ice cream production and distribution	156.048	.5/ employee + 1 dock/ 25,000 sq. ft.												X	
Ice plant, frozen food locker	None	1/150 sq. ft. GSA + 1 loading dock								X	X				
Interior decorating store	None	1/150 sq. ft. GSA								X	X	X			

Kennel	156.060	1/ employee 1/1,000 SF GFA	R								X	X				
Key shop	None	1/150 sq. ft.									X	X	X			
Laundry and dry cleaning pick-up stations	156.057	1/200 sq. ft. GSA + 1/ employee								X	X	X	X			
Laundry, self service	156.057	1/200 sq. ft. GSA								X	X	X				
Library	None	1/150 sq. ft. usable floor area + 1/ employee		R	R	R										
Lodges, service institutions ³	None	1/200 sq. ft. GFA				R										
Long-term care facility	None	1/4 beds + 1/each employee on max. shift				R				X	X	X	R		X	
Machinery rental, sales and service, new and used	156.058	1/1,000 sq. ft. GFA+ 1 dock/ 25,000 sq. ft.									X	X		X	X	
Machine shops, tool and dye shops, metal products manufacturing, excluding use of automatic screw machines, drop forges, or riveting machines	156.058	.5/ employee + 1 dock/ 25,000 sq. ft.												X	X	
Mail order house	156.058	1/ employee + 1 dock/ 25,000 sq. ft.												X	X	
Manufacturing and assembling textile and other products, excluding raw material processing	156.058	1/ employee + 1 dock/ 25,000 sq. ft.												X	X	
Manufacturing and assembling electrical and electronic products and equipment	156.058	1/ employee + 1 dock/ 25,000 sq. ft.												X	X	
Manufacturing, fabricating, assembling, repairing, storing, cleaning, servicing or testing, excluding use of automatic screw machines, drop forges or rivet machines	156.058	1/ employee + 1 dock/ 25,000 sq. ft. GFA												R	X	

Manufactured homes/subdivisions and courts	152.01	See ordinance for parking and setbacks					X								
Manufactured homes on existing lots		See § 156.035 District Regulations	X				X								
Medical facility, clinic or office	None	6/doctor + 1/employee						X		X	X	X			X
Mental health services, outpatient	None	6/doctor or counselor + 1/employee						X	R	X	X	X			X
Milk bottling and distributing	156.058	1/400 sq. ft.												X	
Monument stone cutting	156.058	1/1,000 sq. ft. + 1 dock/25,000 sq. ft.											R	X	
Motor freight terminal	156.058	1/1,000 sq. ft. + 1 dock/25,000 sq. ft.												X	
Music, radio, television shop and repair	None	1/150 sq. ft. GSA								X	X				
Night clubs	156.052									X	X				
Novelty shop	None	1/150 sq. ft.								X	X	X			
Nursing home (see convalescent)															R
Offices, general and administrative	Chapter 158 156.057	1/300 sq. ft. GFA						X	X	X	X	X	X		
Oil and gas wells or associated facilities	156.062		R	R	R	R	R	R	R	R	R		R	R	R
Outdoor restaurant seating	156.052								X	X	X	X			
Parking lot	156.052	Off-street parking 1/vehicle or as required for uses			R	R	R	R	R	R	R	R	R	R	R
Parks, privately owned	None	1% total land area	R	R	R	R	R	R	R	R	R	R	R	R	R
Parks, publicly owned	None	1% total land area	X	X	X	X	X	X	X	X	X	X	X	X	X
Pattern shop	156.058	1/1,000 sq. ft. + 1 dock/25,000 sq. ft.												X	
Pawn shop	None	1/150 sq. ft. GSA								X	X	X			
Pet store	None	1/150 sq. ft. GSA								X	X				

Pharmacy	156.057	1/250 sq. ft. GSA								X	X	X	X			
Plant nursery, retail excluded	None	1/employee		R	R	R										
Police and fire stations	None	None	X						X	X	X	X	X			
Printing shop	None	1/150 sq. ft. GSA /employee									X	X	X			
Printing and binding plant	156.058	1/1,000 sq. ft. GFA + 1 berth/ 24,000 sq. ft.												X	X	
Processing, meat and vegetable products	156.058	1/1,000 sq. ft. GFA + 1 dock/ 25,000 sq. ft.													X	
Public garage	156.058	1/vehicle and 1/employee									X	X	X			
Public health center	None	6/doctor + 1/employee														X
Public buildings or those used in the public interest, including art galleries, post office, libraries, museums, stadiums, auditoriums, arenas, armories, fire stations, police stations, community centers	156.060	1/200 sq. ft. GFA	X	X	X	X			X	X	X	X	X	X	X	X
Public utility and service uses ⁴	156.060	1/400 sq. ft.	X	R	R	R										
Railroad yards and switching areas, including lodging facilities	156.058	1/3 employee													X	
Recreation center, community	156.060	1/150 sq. ft. GFA	X			X					X	X	X	X	X	
Recreation center, private	None	1/50 sq. ft. GSA									X	X	X			
Recreational vehicle (RV) parks	156.073	1/10 attendees + 1/employee									X	X		X	X	
Rehabilitation care facility	None	1/bed + 1/each employee on max. shift				R				R	R	R	R			R

Research laboratories	156.057 156.058	1/ employee + 1 dock/ 25,000 sq. ft.									X	X	X	X	X	
Restaurant, entertainment	156.052										X	X				
Restaurant, fast food	156.052										X	X	X			
Restaurant, fast food with drive through window	156.052										X	X				
Restaurant, full service	156.052								X		X	X	X			
Restaurant, micro-brewery/ winery	156.052										R	R				
Restaurant, take out	156.052								X		X	X	X			
Roller skating rink	None	1/100 sq. ft. GSA									X	X				
Sanatorium	None	1/6 beds + 1/staff + 1/doctor +1/ employees + 1/loading space														R
Schools, public and private	None	1/ employee + 1/ classroom 1/50 sq. ft, assembly area														
Elementary	None	1/ employee + 1/ classroom 1/50 sq. ft, assembly area	X	X	X	X										
Midhigh, junior high	None	1/ employee + 1/ classroom 1/50 sq. ft, assembly area		5	5	5										
Senior high	None	1/ employee + 1/ classroom 1/50 sq. ft, assembly area	X	5	5	5										

Colleges or universities	None	1/ employee + 1/ classroom 1/50 sq. ft. assembly area	X			X									
Self-service storage facility	None	1/vehicle stored + 1/ employee + 1/10 units								R	R		X	X	
Shoe repair	156.057	1/150 sq. ft. GSA							X	X	X	X			
Sign painting	156.058	1/150 sq. ft. GSA								X	X		R	R	
Snack and nonalcoholic beverages bars	156.052								X	X	X	X			
Snack and nonalcoholic beverages bars (accessory use)	156.052							X	X	X	X	X	X	X	X
Soft drink manufacturing		1/employee on max. shift + 1/150 GSA											X	X	
Soldering and welding	156.058	1/ employee + 1 dock/ 25,000 sq. ft. GFA												X	
Sororities/ fraternities	None	.75/ occupant				X									
Spray painting and mixing	156.058	1/1,000 sq. ft. GFA+ 1 dock/ 25,000 sq. ft.												X	
Sporting goods store	None	1/150 sq. ft. GSA 1/ employee								X	X	X			
Stock broker	None	1/150 sq. ft. GFA						X		X	X	X			
Substance abuse centers, outpatient	None	6/doctor or counselor +1/ employee						R	R	R	R	R			X
Tailor shop	156.057	1/200 sq. ft. GFA								X	X	X			
Tattoo studios	156.067	6/chair + 1/ employee								R	R		R	R	
Temporary building, construction phase only	None	None	X	R	R	R									
Temporary bulletin board, sign	Chapter 158	None		R	R	R									
Theater	156.060	1/4 seats								X	X	X			

Toy store	None	1/150 sq. ft. GSA 1/ employee								X	X	X	X			
Travel trailer park and sales	156.054	1/150 sq. ft. GSA + 1/trailer (sized to trailer) + 1/ employee									X					
Utility service installation	156.060	1/400 sq. ft. GFA									X	X	X	X	X	
Variety store	156.057	1/150 sq. ft. GSA 1/employee								X	X	X	X			
Warehouse and storage	156.058	1/4,000 sq. ft. + 1berth/ 25,000 sq. ft.												X	X	
Water filtration plant	156.058	1/3 employee + 1 berth/ 25,000 sq. ft.												X	X	
Wholesale distributing center	None	1/150 sq. ft. GSA + 1/ employee/ loading berth									X	X		R	R	
Wine and distilled alcoholic beverage wholesalers		1/ employee on max. shift + 1/150 GSA												X	X	
Wineries		1/ employee on max. shift + 1/150 GSA	R											X	X	
Worship facilities	156.069	1/4 seats	R	R	R	R	R	R	R	R	R	R	R	R	R	R

X = Uses permitted

R = Uses permitted only upon review and approval of the Durant Planning and Zoning Commission

GSA = Gross Sales Area

GFA = Gross Floor Area

GLA = Gross Lot Area

None of the listed uses shall be permitted in the FD zone as shown on the Zoning Map except as provided in § 156.059.

Notes: 1 Minimum lot size 10,000 sq. ft.

(Prior Code, § 157.031) (Ord. 1266, passed 7-14-1998; Ord. 1315, passed 7-11-2000; Ord. 1316, passed 7-11-2000; Ord. 1364, passed 3-12-2002; Ord. 1379, passed 7-9-2002; Ord. 1382, passed 8-13-2002; Ord. 1387, passed 11-12-2002; Ord. 1397, passed 3-11-2003; Ord. 1411, passed 9-8-2003; Ord. 1414, passed 10-14-2003; Ord. 1436, passed 5-11-2004; Ord. 1508, passed 7-11-2006; Ord. 1509, passed 7-11-2006; Ord. 1522, passed 10-10-2006; Ord. 1543, passed 3-13-2007; Ord. 1545, passed 3-13-2007; Ord. 1562, passed 8-14-2007; Ord. 1574, passed 11-13-2007; Ord. 1583, passed 1-8-2008; Ord. 1585, passed 1-8-2008; Ord. 1606, passed 9-9-2008; Ord. 1618, passed 5-18-2009; Ord. 1639, passed 5-11-2010; Ord. 1755, passed 5-12-2015; Ord. O-2021-04, passed 2-9-2021)



THE CITY OF DURANT

Office of Community Development

Date: 06/27/2023
To: Planning Commission
Case: PC 2023-09
From: Danielle O'Neal, Community Development Director
Re: Rezoning Request from the C-3 General Commercial District to the I-1 Light Industrial District for property located near South 9th Street and Alabama Street.

Request: Consider a request from Tracy Herron, for a rezoning of the property located near South 9th Street and Alabama Street from C-3, General Commercial to I-1, Light Industrial.

Current Zoning: C-3, General Commercial

Requested Zoning: I-1, Light Industrial

Surrounding Properties:

Direction	Zoning	Use
North	C-3	Commercial Uses
West	C-3	Commercial Uses
South	C-3	Commercial Uses
East	R-2	Residential Uses

Lot Characteristics:

Width	~ 168 ft.
Depth	~ 164 ft.
Total Area	~0.63 acres (~27,552 sq. ft.)

Applicant: Tracy Herron

Background: The applicant approached staff regarding the rezoning of this property with the desire to have what is considered a chemical compounding / processing business in these buildings.

The current company applied for a remodel permit in December 2020, which was completed. Staff at that time informed them about all zoning requirements. A Certificate of Occupancy was applied for and approved in May 2022. Another Certificate of Occupancy was applied for in November 2022; however, there were several issues that had to be addressed including that the current use does not meet zoning requirements. At that time, the fire marshal did have to issue a stop work order due to some violations that were present. Once those violations were fixed, and after a conversation with the City Attorney, it was decided to allow them exactly how they were operating at that time as a nonconforming use. However, if they upgraded or made any changes, then they would be required to meet current zoning requirements. The property owner then decided to apply for a rezoning to an industrial zoning category with an understanding the company was expecting to grow more.

At this present time, there has been some issues regarding this area and did have a situation that involved heavy smoke in the area that caused the Fire Department to respond, which then triggered the fire marshal, building inspector and code enforcement to respond. This situation is still being investigated by various entities. The original Certificate of Occupancy stated they were a food processor, and the fire marshal discovered that they did not have their Oklahoma Department of Health license.

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 regarding this rezoning request.

Analysis: The aforementioned property is approximately 0.60 acres and currently does have the business operating in this location as a nonconforming use. The area is made up of a mix of Residential and Commercial Zoned properties. The subject property does meet the requirements for the lot area that is required within the requested zoning type.

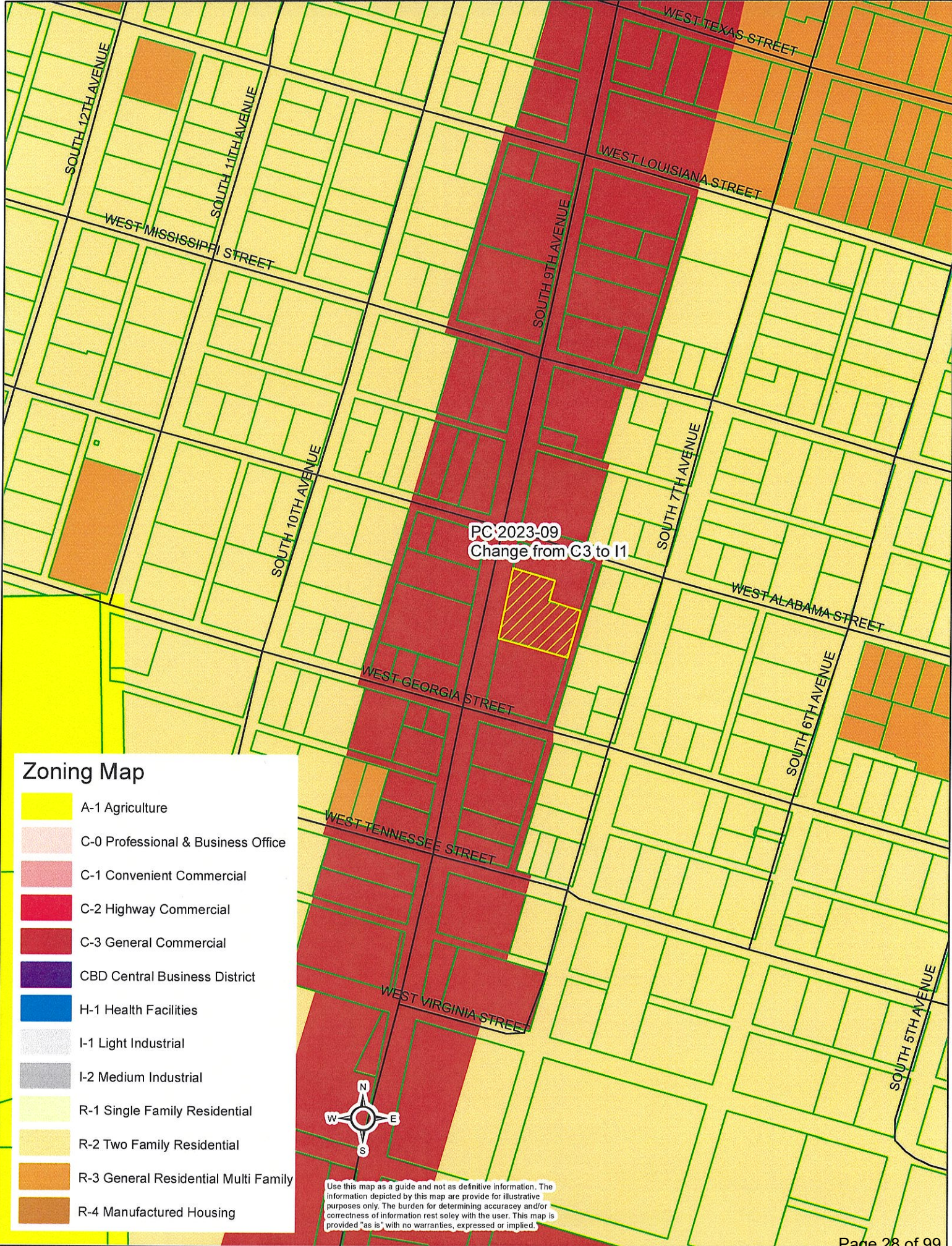
The property is also not platted correctly. There was some changing and moving of lot lines that was never heard or approved by the Planning Commission and City Council.

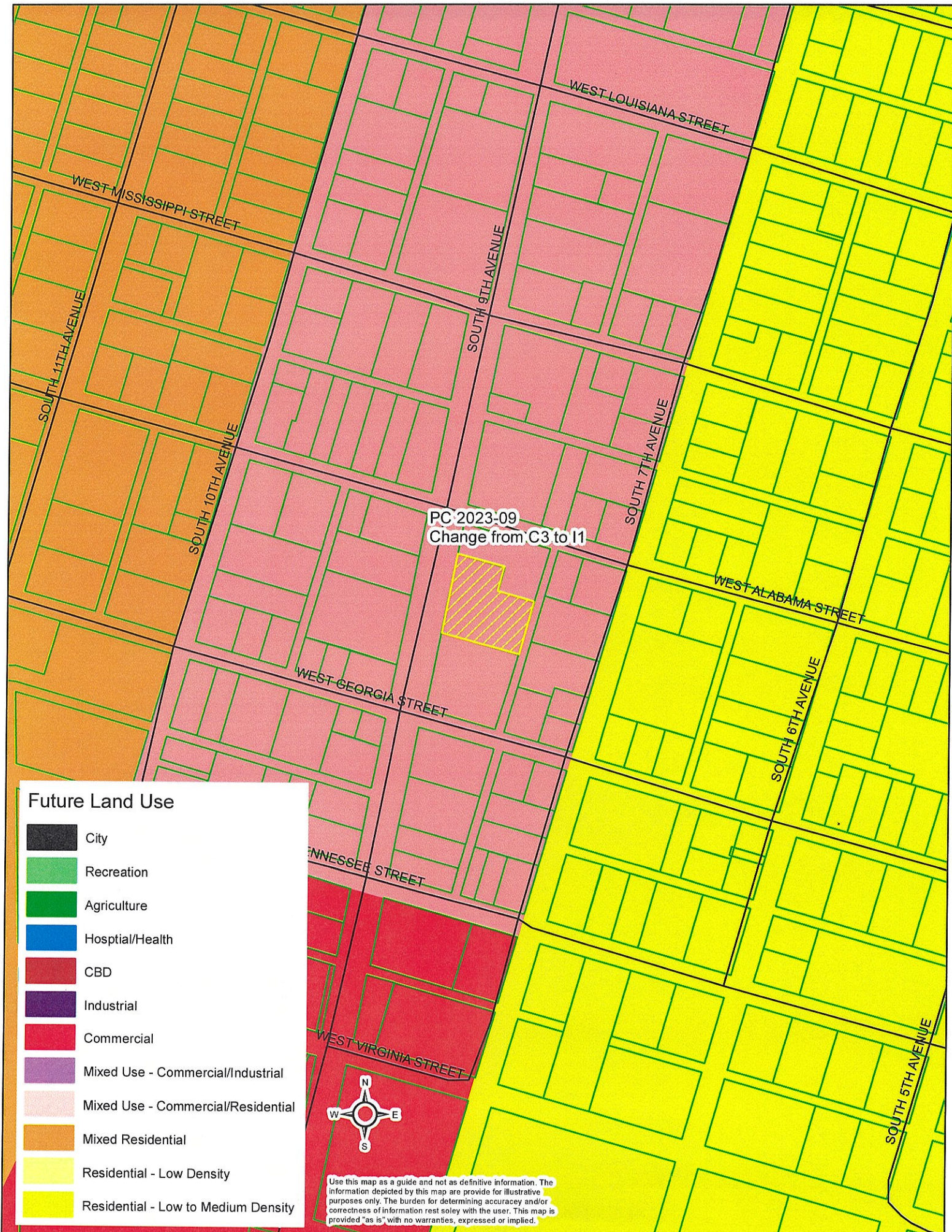
The current Future Land Use Map has this area as commercial land uses; therefore, this rezoning request is not in line with the Future Land Use Map.

Staff Recommendation: Staff does not recommend approval of this rezoning request. Staff's concerns regarding the rezoning of this property is largely that the request is not in line with the Future Land Use Map. Should there be a recommendation for approval, staff recommends that this becomes contingent upon the applicant having a plat approved, filed and submitted back to the city staff within the next 90 days. Should the applicant not complete this within that time frame the zoning would then revert back to the C-3, General Commercial zoning category.

Required Action: Hold a public hearing to recommend approval or denial of the rezoning request for the property located near at South 9th Street and Alabama Street. Any specific conditions imposed by the Commission should be read into any approval motion.







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.

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 C-3, General Commercial District to I-1, Light Industrial District for property located near South 9th Street and Alabama Street, in Durant, and more particularly described as;

Lot 7 and the South 17.5 feet of Lot 8 in Block 305 in the City of Durant, Bryan County, Oklahoma according to the official plat; and

A part of Lot 8 in Block 305 in the City of Durant, Bryan County, Oklahoma, more particularly described as follows:
BEGINNING at the Northwest corner of said Lot 8: Thence Southeasterly along the North line of said Lot 8 a distance of 103.67 feet; Thence Southwesterly parallel with the East line of said Lot 8 52.50 feet; Thence Northwesterly parallel with the South line of said Lot 8 a distance of 100.00 feet to the West line of said Lot 8; Thence Northeasterly along the West line of said Lot 8 a distance of 52.65 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 11th day of July, 2023.

Martin Tucker, Mayor
City Of Durant, Oklahoma

ATTEST:

Cynthia J. Price, City Clerk

§ 156.031 I-1 LIGHT INDUSTRIAL DISTRICT.

The purpose of the I-1 Industrial District is to provide a location for industries. The intent is to preserve this land especially for industry in locations with access to major streets, as well as locations generally accessible to railroad transportation. Because of possible objectionable influences that may be created in this district, it is necessary to locate I-1 carefully in relation to other districts and provide such features as buffers or setback strips between this district and other zoning districts.

(Prior Code, § 157.028) (Ord. 1040, passed 4-12-1983)

REZONING APPLICATION

Petition # PC 2023-09
Fee \$ 300.00

APPLICANT INFORMATION

Name: <u>Tracy L Herron</u>		Email: <u>therronphenon@carpetone.com</u>	Phone #1: <u>380-920-6708</u>
Mailing Address: <u>3214 Big Valley Rd</u>		Phone #2: <u>380-924-0688</u>	Fax #:
City: <u>Meach</u>	State: <u>OK</u>	Zip: <u>73449</u>	
Applicant's Interest in Property: <u>owner</u>			

☐ Please use attached addendum if there is more than one applicant.

Physical Address of Rezoning Request: <u>6025 9th Durant OK 74701 / 6045 9th Durant OK 74701</u>			
☒ Platted ☐ Un-Platted	Subdivision	Lot	Block
Legal Description: (If Un-platted)			
☐ Deed Attached (required) If applicant is not owner listed on deed, owner consent must be included.			

Request Rezoning From:		Request Rezoning To: <u>manufacturing I-1</u>	
Present Use:		Proposed Use: <u>same</u>	
Parcel Width:	Parcel Length:	Acres:	Street/Road Frontage:
☒ City Water (If City Water will be extended or improvements will be made, please explain: <u>we will need additional meter and tap at 606 S. 9th to accommodate fire sprinklers in the future.</u>			
☐ City Sewer (If City Sewer will be extended or improvements will be made, please explain:)			
☐ Private Water		☐ Private Sewer	
Is Property in the Floodplain?	Is property in the Airport Zone.		

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

Tracy Herron
Signature of Applicant

1-19-23
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 necessary.

We have been producing the same finished goods at this location with a Certificate of Occupancy since 2020. In order to continue our growth and produce more goods, we need to have more raw product on hand. The increased supply is the reason for the zone change. Nothing else has changed here since receiving our first C.O.

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.

We are aligned with the Comprehensive Plan. This is a win/win situation for both the business and the community. Good paying jobs will continue being created and improve the quality of lives for our community staff members. In turn, this is good for the community bringing more local spending for basic necessities as well as entertainment, dining and living quarters.

We consider ourselves a family and care about our community. We started here and desire to continue to grow here while benefiting those that live here.

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

We promote health and wellness and employ over 10 locals with a payroll of approximately \$1 million. More than half of our staff moved here to be part of our growing company.



STATE OF OKLAHOMA } SS: 495838
COUNTY OF BRYAN

I hereby certify that this instrument was
filed for Record in
my office this 4 day of Dec 1997 at 2:11
o'clock P.M. and is duly recorded in
record 906 page 345

Glenda Williams, County Clerk
Jan Sefla Deputy

KNOW ALL MEN BY THESE PRESENTS:

That JOE MARKSBERRY a/k/a JOE ALLEN MARKSBERRY and SHEILA MARKSBERRY a/k/a SHEILA ANN MARKSBERRY, husband and wife, parties of the first part, in consideration of the sum of Ten and more (\$10.00) Dollars, the receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto TRACY LYNN HERRON and DEBORAH SUE HERRON, husband and wife, 715 Meadowlark Ln. Durant, OK 74701 as joint tenants, the survivor to take all, and not as tenants in common, parties of the second part, their grantees, and their heirs and grantees of the survivor, all of the following described real property and premises, situated in Bryan County, State of Oklahoma, to-wit:

Lot 7 and the South 17.5 feet of Lot 8 in Block 305 in the City of Durant, Bryan County, Oklahoma according to the official plat; and

A part of Lot 8 in Block 305 in the City of Durant, Bryan County, Oklahoma, more particularly described as follows: BEGINNING at the Northwest corner of said Lot 8; Thence Southeasterly along the North line of said Lot 8 a distance of 103.67 feet; Thence Southwesterly parallel with the East line of said Lot 8 52.50 feet; Thence Northwesterly parallel with the South line of said Lot 8 a distance of 100.00 feet to the West line of said Lot 8; Thence Northeasterly along the West line of said Lot 8 a distance of 52.65 feet to the Point of Beginning.

R.S.
24⁷⁵

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

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

SIGNED AND SEALED this the 26th day of November, 1997
STATE OF OKLAHOMA
Bryan County
Documentary Stamps \$ 34.75

Joe Marksberry
JOE MARKSBERRY a/k/a JOE ALLEN MARKSBERRY

Sheila Marksberry
SHEILA MARKSBERRY a/k/a SHEILA ANN MARKSBERRY

STATE OF OKLAHOMA)
) ss. ACKNOWLEDGMENT
BRYAN COUNTY)

Before me, the undersigned, a Notary Public in and for said County and State, on this 26th day of November, 1997, personally appeared JOE MARKSBERRY a/k/a JOE ALLEN MARKSBERRY and SHEILA MARKSBERRY a/k/a SHEILA ANN MARKSBERRY, husband and wife, who acknowledged to me that they executed the foregoing instrument for the purposes and consideration therein expressed.
Page 34 of 99

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

SIGNED AND SEALED this the 26th day of November, 1997, **STATE OF OKLAHOMA**
Bryan County
Documentary Stamps \$24.00

Joe Marksberry
JOE MARKSBERRY a/k/a JOE ALLEN
MARKSBERRY

Sheila Marksberry
SHEILA MARKSBERRY a/k/a SHEILA
ANN MARKSBERRY

STATE OF OKLAHOMA)
BRYAN COUNTY) ss. ACKNOWLEDGMENT

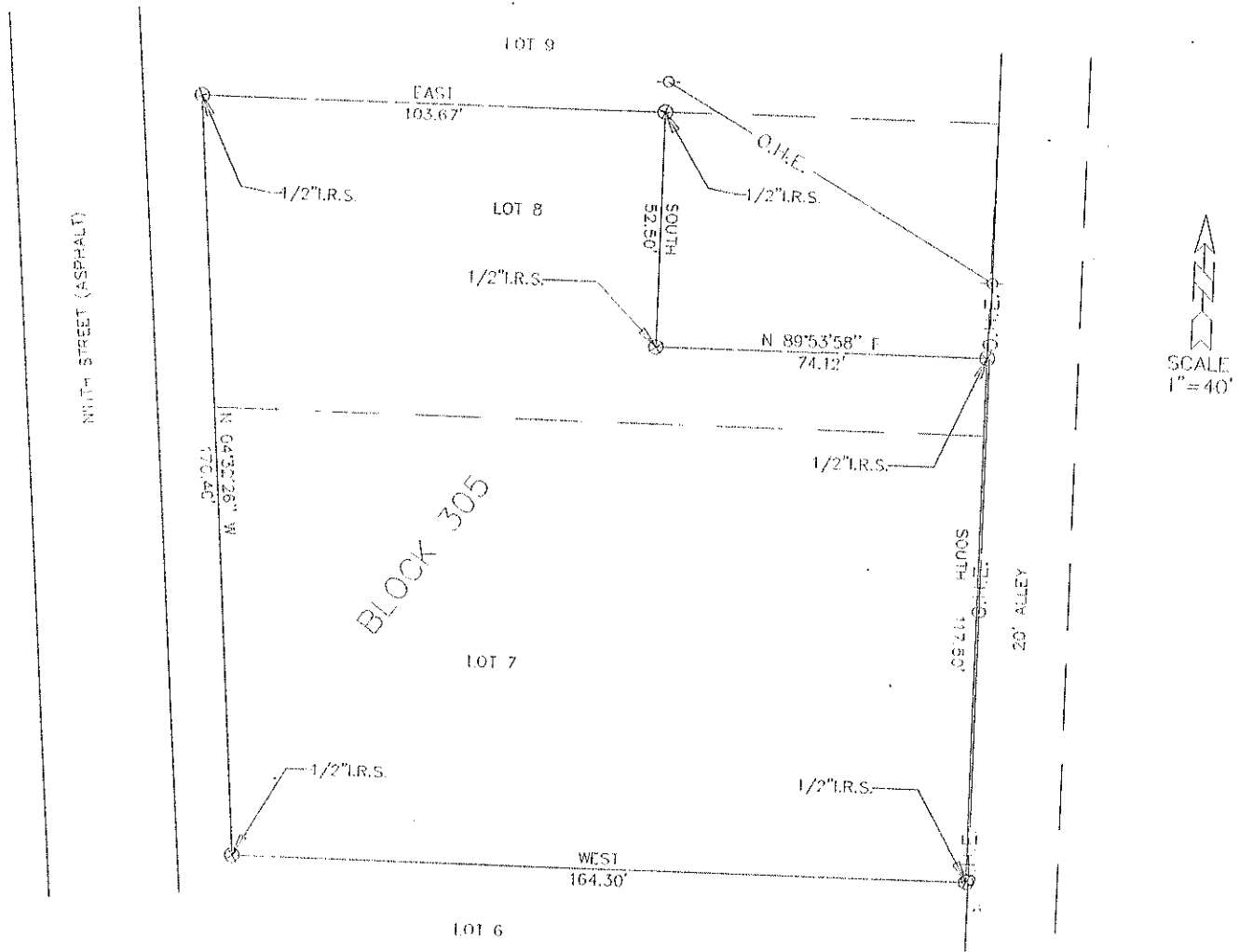
Before me, the undersigned, a Notary Public in and for said County and State, on this 26th day of November, 1997, personally appeared JOE MARKSBERRY a/k/a JOE ALLEN MARKSBERRY and SHEILA MARKSBERRY a/k/a SHEILA ANN MARKSBERRY, husband and wife, to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

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

My Commission Expires:
1-10-98

Christy K. Freeman
NOTARY PUBLIC

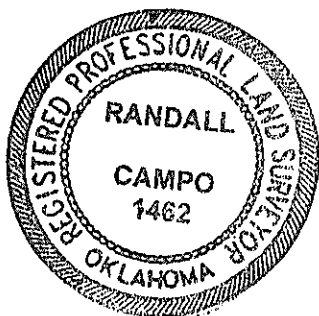
000345



I, Randall Campo, Registered Professional Land Surveyor hereby certify that on April 24, 1998, I staked on the ground Lot 7 and the South 17.5' of Lot 8 and a part of Lot 8 Block 305 in the City of Durant, Bryan County, Oklahoma; more particularly described as follows; Beginning at the Northwest Corner of said Lot 8, thence East 103.67', thence South 52.5', thence West 100', thence N04°32'32\"W 52.55' to the Point of Beginning. I further certify that the plat and field notes herein are a true, correct and accurate representation of the property described herein according to the recorded plat thereof to the best of my knowledge and belief.

4/27/98 *Randall Campo*

Randall Campo, Registered Professional
Land Surveyor No. 1462





THE CITY OF DURANT

Office of Community Development

Date: 06/27/2023
To: Planning Commission
Case: PC 2023-13
From: Danielle O'Neal, Community Development Director
Re: Rezoning Request from R-3 General Residential Multi Family District to the C-0 Professional and Business Office District for property located at 817 W. Evergreen Street

Request: Consider a request from Josh Adams, for a rezoning of the property located near the intersection of 817 W. Evergreen from R-3 General Residential Multi Family to C-0 Professional and Business Office.

Current Zoning: R-3, General Residential Multi Family

Requested Zoning: C-0, Professional and Business Office.

Surrounding Properties:

Direction	Zoning	Use
North	C-0	Commercial Uses
West	R-3 / C-3	Residential / Commercial Uses
South	C-3	Commercial Uses
East	R-3	Residential Uses

Lot Characteristics:

Width	~ 40 ft.
Depth	~ 169 ft.
Total Area	~0.15 acres (~6,760 sq. ft.)

Applicant: Josh Adams

Background: The applicant approached staff regarding the rezoning of this property with the desire to use the existing structure as a commercial office.

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 regarding this rezoning request.

Analysis: The aforementioned property is approximately 0.15 acres and currently has a residential house on the property. The area is made up of a mix of Residential and Commercial Zoned properties. The subject property does not meet the requirements for the lot area that is required within the requested zoning type.

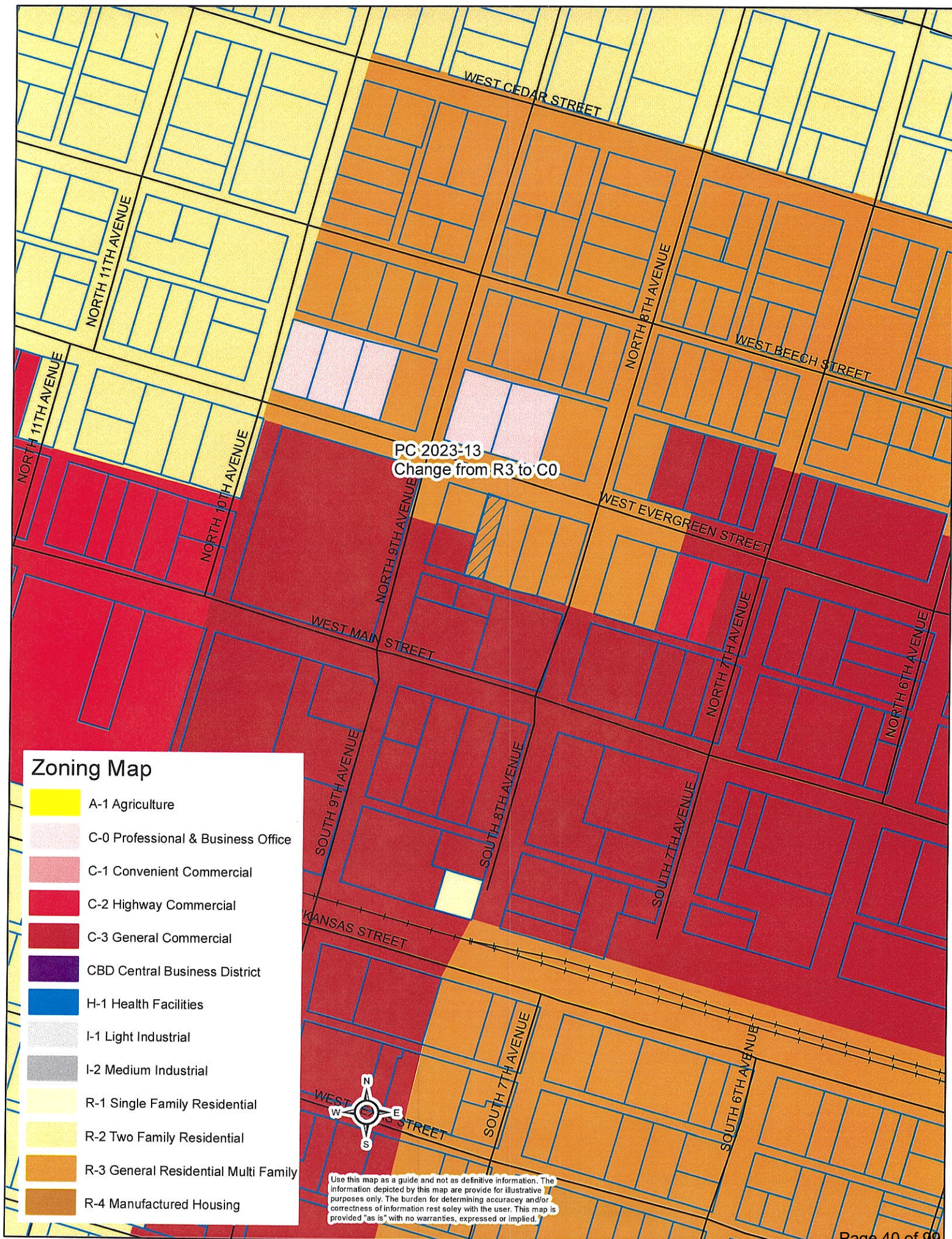
The current Future Land Use Map has this area as Central Business District land uses; therefore, this rezoning request is in line with the Future Land Use Map.

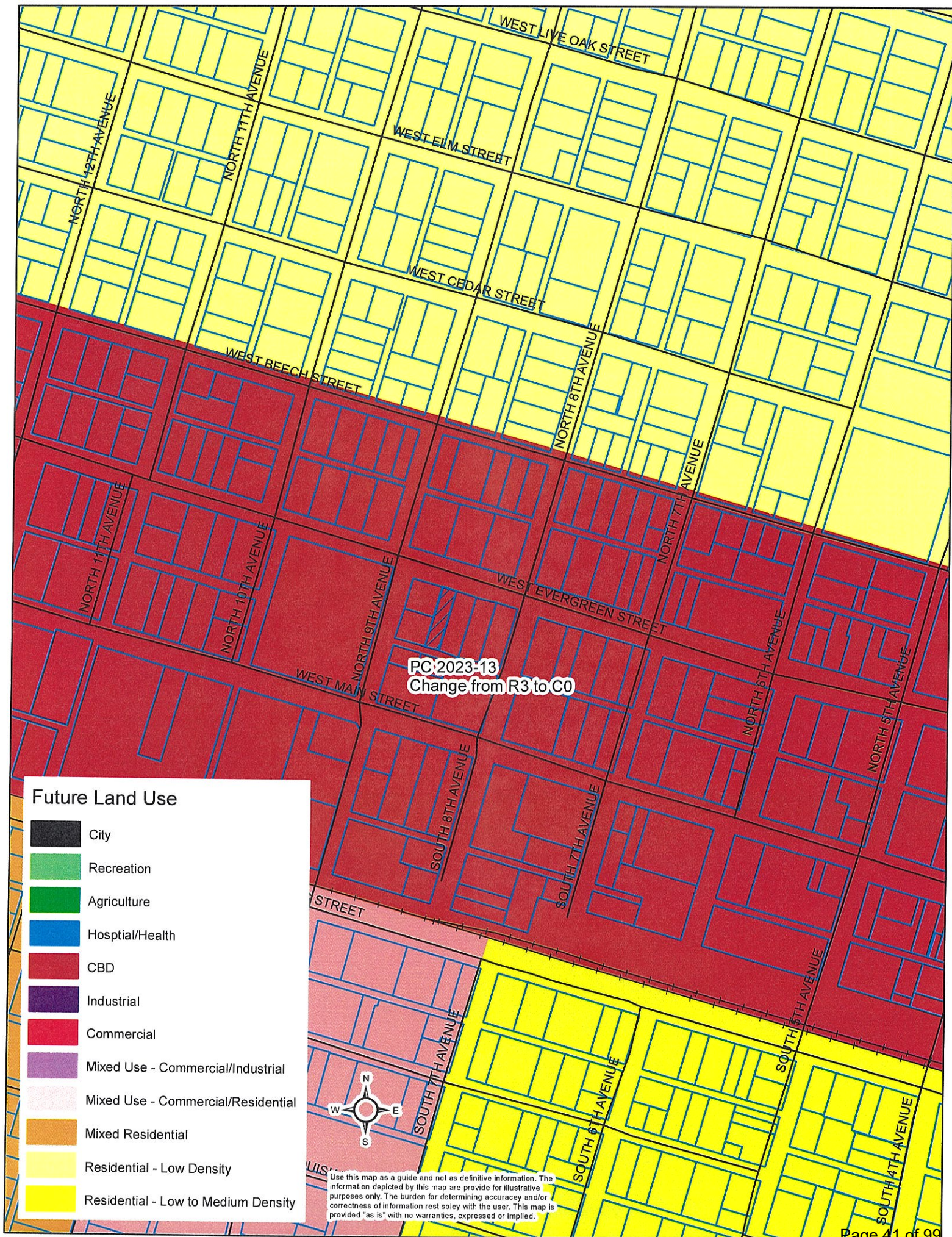
<i>Zoning Districts</i>	<i>Lot Area Min.</i>	<i>Lot Width at Front Building Line (A)</i>	<i>Building Coverage (%)</i>	<i>Impervious Coverage (%)</i>	<i>Front (B)</i>	<i>Yards Min. Setback Side Interior</i>		<i>Exterior</i>	<i>Rear</i>	<i>Height Max.</i>
						<i>Adj. Res. District</i>	<i>Adj. Non-Res. District</i>			
C-O Prof. & Bus. Offices	10,000 sq. ft.	70'	75%	None	53'	10'	10'	35' ^D	10'	35'

Staff Recommendation: Staff's concerns regarding the rezoning of this property is largely that the lot does not meet the requirements for the requested zoning type.

Required Action: Hold a public hearing to recommend approval or denial of the rezoning request for the property located near 817 W. Evergreen. Any specific conditions imposed by the Commission should be read into any approval motion.







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 R-3, General Residential District to C-0, Professional and Business Office District for property located at 817 W. Evergreen Street, in Durant, and more particularly described as;

Lot 3 and the East 15 feet of Lot 4 in Block 170 in the City of Durant, Bryan County, Oklahoma, according to the Official Plat thereof.

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 July, 2023.

Martin Tucker, Mayor
City Of Durant, Oklahoma

ATTEST:

Cynthia J. Price, City Clerk

§ 156.026 C-0 PROFESSIONAL AND BUSINESS OFFICES DISTRICT.

This commercial district is intended for a unified grouping in one of more buildings for professional or business offices. It is intended that the office center be developed as a unit with adequate off-street parking space for customers and employees and with appropriate landscaping and screening.

(Prior Code, § 157.024) (Ord. 1040, passed 4-12-1983)

REZONING APPLICATION

Petition # PC1023-13
Fee \$ 300.00

APPLICANT INFORMATION

Name: <u>Joshua Adams</u>	Email: <u>adams.josh1987@gmail.com</u>	Phone #1: <u>(580) 564-0794</u>
Mailing Address: <u>6401 SR 48</u>	City: <u>Caddo</u>	State: <u>OK</u>
Zip: <u>74729</u>	Phone #2: <u>(903) 271-2439</u>	Fax #:
Applicant's Interest in Property: <u>Owner</u>		

☐ Please use attached addendum if there is more than one applicant.

Physical Address of Rezoning Request:			
☒ Platted ☐ Un-Platted	Subdivision	Lot <u>3 + E15' LT 4</u>	Block <u>170</u>
Legal Description: (If Un-platted) <u>Lot 3 + E15' LOT 4 in Block 170, City of Durant, Bryan County</u>			
☐ Deed Attached (required) If applicant is not owner listed on deed, owner consent must be included.			

Request Rezoning From: <u>R3</u>	Request Rezoning To: <u>CØ</u>
Present Use: <u>Residential Rental Property</u> <u>Currently Vacant</u>	Proposed Use: <u>Real Estate Office</u> <u>Property Management Office</u>
Parcel Width: <u>38'</u>	Parcel Length: <u>170'</u>
Acres: <u>.16</u>	Street/Road Frontage: <u>Evergreen 38'</u>
☒ City Water (If City Water will be extended or improvements will be made, please explain:)	
☒ City Sewer (If City Sewer will be extended or improvements will be made, please explain:)	
☐ Private Water	☐ Private Sewer
Is Property in the Floodplain? <u>No</u>	Is property in the Airport Zone. <u>No</u>

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]
Signature of Applicant

4/28/2023
Date

Office Use Only

Date Filled	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.

I have several rental properties in Durant and Bryan County. My property management company presently operates an office in Kemp, Oklahoma, and has been looking for a centrally located office in Durant. Since I just bought this property, it is the perfect location for their small office to manage my properties.

Of the 29 names on the certified property owners list, the majority of the properties within 300' are already businesses or rental houses. It appears only approximately 5 properties are occupied by owners. To operate a small office from the location, it must be rezoned from R-3 to C-0.

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 rezoning should be according to City Plan as several other houses within the 300' are already zoned C-0 and used as offices.

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

As the property owner, I feel this property is more suited for our small office. The alley behind the house divides the property from the main street commercial properties on the 800' block of Main, making the area less suitable for renting to families. The alley is traveled and used for parking by businesses on 8th & 9th Streets.

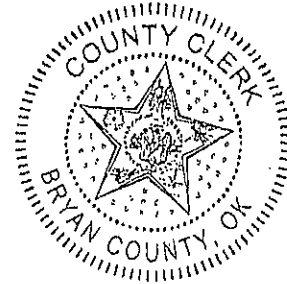
We will have no parking on Evergreen. We will pave the driveway from Evergreen to the alley and pave according to city code the parking area behind the house providing 8 parking spaces.

Bryan County Abstract Company
Serving Bryan County Since 1903

I-2023-754304 Book 1629 Pg: 499
05/01/2023 9:17 am Pg 0499-0499
Fee: \$ 18.00 Doc: \$ 187.50
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

After recording, return to:
Joshua Adams and Jessica Adams
6401 State Rd 48
Caddo, OK 74729

**JOINT TENANCY
WARRANTY DEED**



Documentary Stamps: \$187.50

That Mohammad & Tami Properties, LLC, a limited liability company, (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 Joshua Adams and Jessica Adams, husband and wife, as joint tenants and not as tenants in common, with right of survivorship, the whole estate to vest in the survivor, (the "Grantee"), the following described real property and premises situate in Bryan County, Oklahoma, to wit:

Lot 3 and the East 15 feet of Lot 4 in Block 170 in the City of Durant, Bryan County, Oklahoma, according to the official plat thereof.

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same. LESS AND EXCEPT any interest in and to oil, gas, coal, metallic ores and other minerals therein and thereunder previously reserved or conveyed of record and all rights, interests and estates of whatsoever nature incident thereto or arising thereunder, and SUBJECT TO easements, rights of way, restrictive covenants of record.

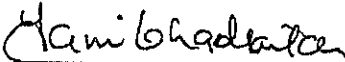
TO HAVE AND TO HOLD said described premises unto Grantee, and to the heirs, successors and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and delivered this 27th day of April, 2023.

Mohammad & Tami Properties, LLC


By: Mohammad Ghadianloo, Managing Member

STATE OF OKLAHOMA
Bryan County
Documentary Stamps \$ 187.50

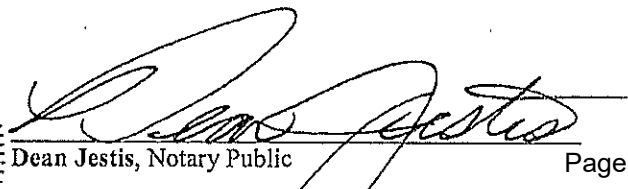

By: Tami Ghadianloo, Managing Member

ACKNOWLEDGMENT - OKLAHOMA FORM

STATE OF OKLAHOMA }
 } ss.
COUNTY OF BRYAN }

This instrument was acknowledged before me on this 27th, day of April, 2023 by Mohammad Ghadianloo, as Managing Member and Tami Ghadianloo as Managing Member as of Mohammad & Tami Properties, LLC, a limited liability company.




Dean Jestis, Notary Public



THE CITY OF DURANT

Office of Community Development

Date: 06/27/2023
To: Planning Commission
Case: PC 2023-14
From: Danielle O'Neal, Community Development Director
Re: Re-Plat Request for property located near West Elm Street and North 16th Avenue

Request: Consider a request from Charles Weiner, for a Re-Plat Request for property located near West Elm Street and North 16th Avenue.

Current Zoning: R-2, Two-Family Residential

Surrounding Properties:

Direction	Zoning	Use
North	R-2	Church Uses
East	R-2	Single Family Uses
South	R-2	Single Family Uses
West	R-2	Single Family Uses

Lot Characteristics: (Proposed Lot)

Width	~ 150 ft.
Depth	~138 ft.
Total Area	~0.47 acres (~20,700 sq. ft.)

Applicant: Charles Weiner

Background: The applicant approached staff regarding filing for a re-plat request with the hopes of building a garage on the property. The location of the garage would be over a lot line and ordinances do not allow an accessory structure to be on a lot without a primary structure. This re-plat is combining two lots into one lot.

Notifications have been made to the surrounding property owners and at the time of this report, there have not been any letters or emails received by staff.

Analysis: The subject property individually is approximately 10,212 square feet and the lots together would be approximately 20,700 square feet. The applicant is planning to place a garage to be used for personal use on the property. There appears to be City Water and Sewer in the area. Should this be approved, the applicant will need to apply for a building permit for the garage.

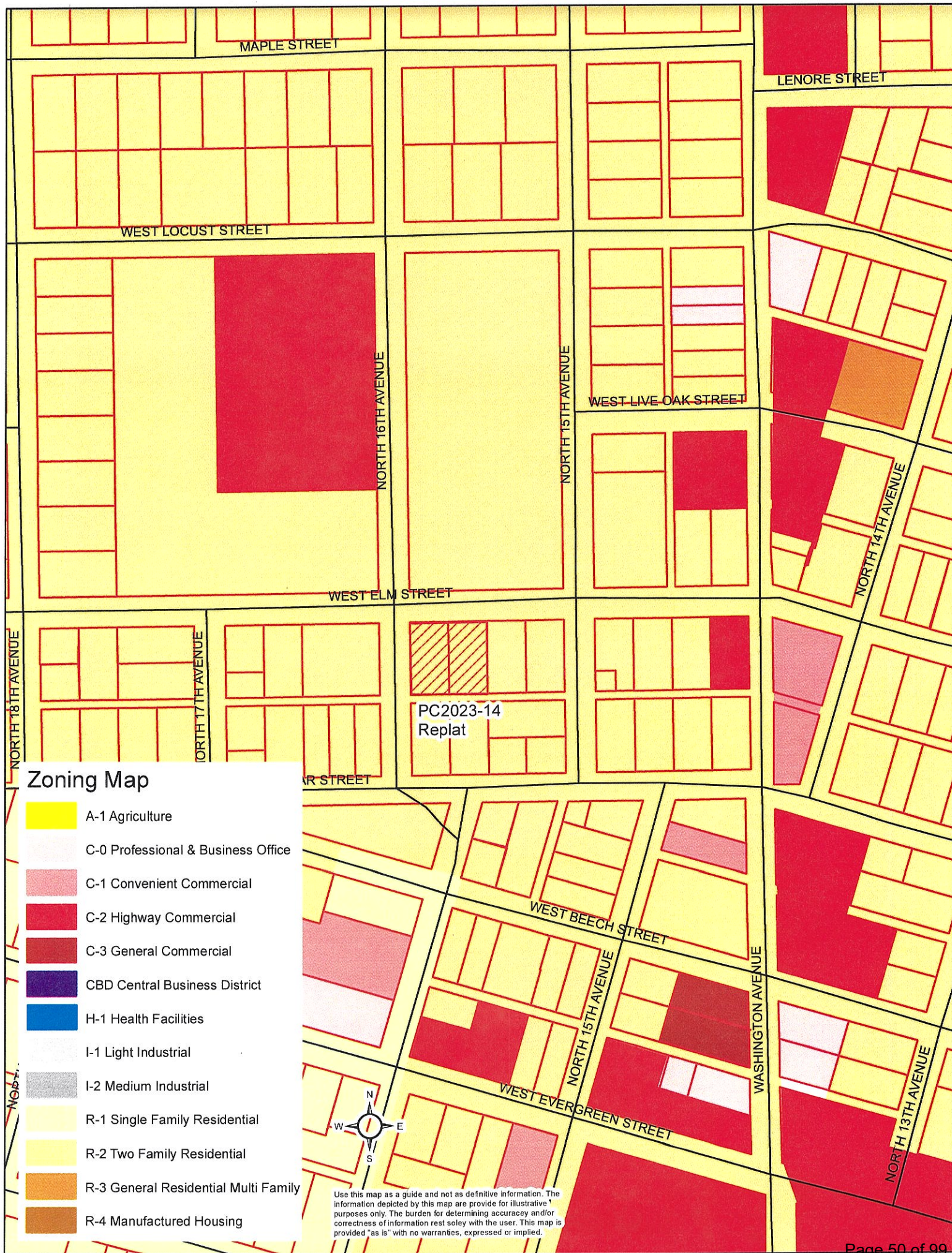
The current Land Use Map appears to have this area as low to medium residential; therefore, this request is generally in line with the Comprehensive Plan.

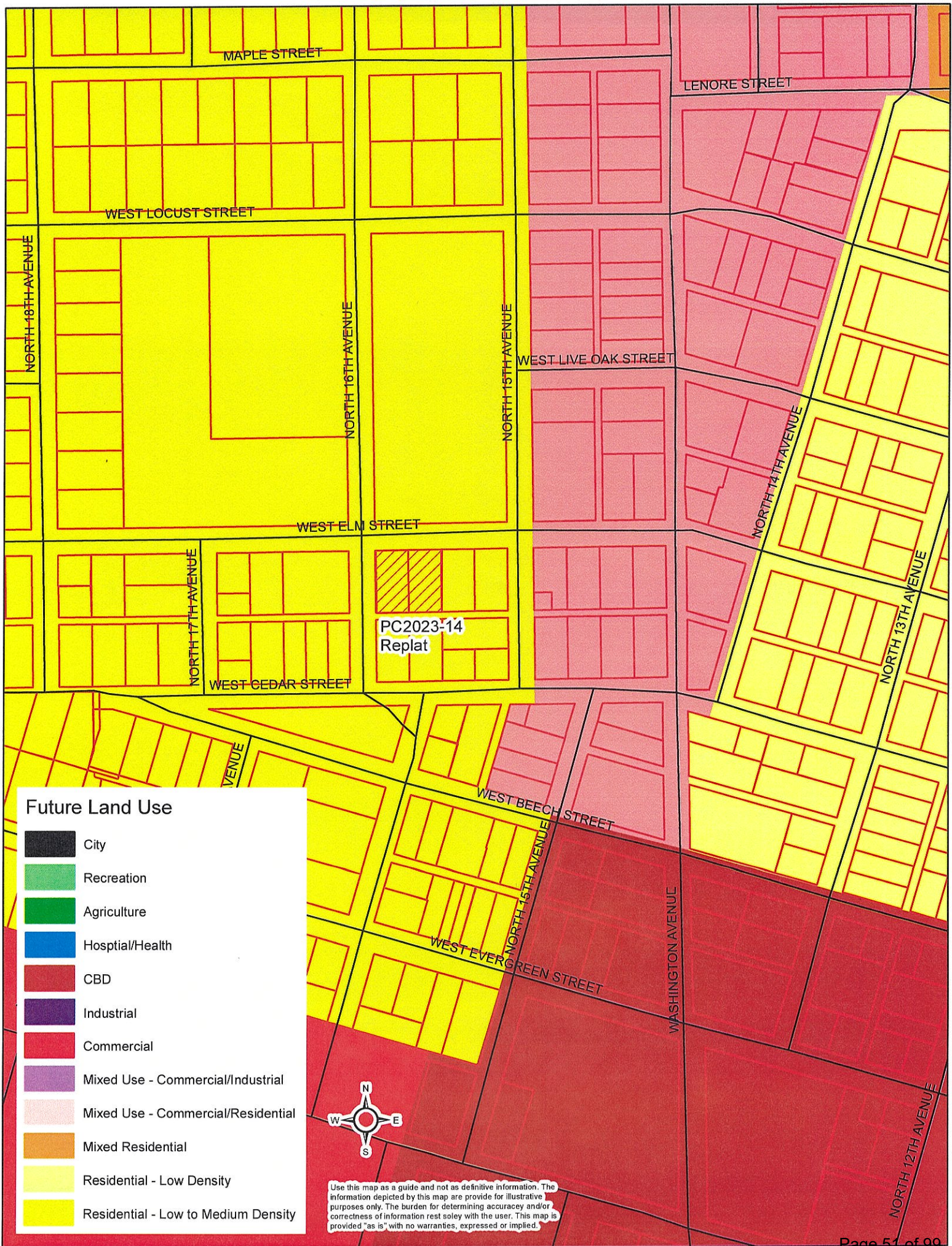
Staff Recommendation: Staff recommends approval. Staff has signed off supporting the approval of the re-plat. No further comments have been received as of the creation of this report.

Required Action: Hold a public hearing and recommend approval or denial of the Re-Plat request for property located near West Elm Street and North 16th Avenue. Any specific conditions imposed by the Commission should be read into any approval motion.



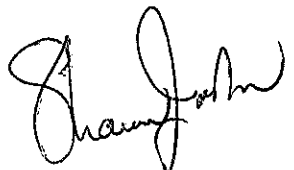
Use this map as a guide and not as definitive information. The information depicted by this map are provided for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is" with no warranties, expressed or implied.





COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET

WEST END HEIGHTS PC2023-14 (Elm & 16th)

Department	Signature	Date	Notes
Com Dev Director Danielle O'Neal		6/5/23	if disturb greater than 1-acre will need storm water permit
M&O Randy Cantrell		06/14/23	No Comment
Streets Carl Meade		06/16-23	
Public Works Director Phillip Hightower		6-5-23	
Fire Marshal Brandon Brooks		6-5-23	
Building Official Shawn Jackson		6-5-23	
Engineer Brandon Wall			

Subdivision/Plat Application

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

Petition # PC 2023-14
 Fee \$ 300.00
 Expedited Fee \$ _____

APPLICANT INFORMATION

Name: <u>Charles WEINER</u>	Email: <u>cswainer@hotmail.com</u>	Phone #1: <u>580.931.6110</u>
Mailing Address: <u>1517 W. ELM</u>		Phone #2: _____
City: <u>Durant</u>	State: <u>OK</u>	Zip: <u>74701</u>
Applicant's Interest in Property: _____		

SURVEYOR INFORMATION

Name: <u>BM Surveying, Inc.</u>	Email: <u>BM.surveying@yahoo.com</u>	Phone #1: <u>580.279.9544</u>
Mailing Address: <u>PO Box 26 125 W. Buffalo St</u>		Phone #2: _____
City: <u>Caddo</u>	State: <u>OK</u>	Zip: <u>74729</u>
Surveyor Oklahoma License Number: <u>PLS 1819</u>		

ENGINEER INFORMATION

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

LAND INFORMATION

Legal Description: <u>Lot 3 in Block 27, WEST END HEIGHTS Addition, to the City of Durant, Bryan County, Oklahoma</u>	Parcel Number: _____
<u>Lot 4 in Block 27, WEST END HEIGHTS Addition, to the City of Durant, Bryan County, Oklahoma</u>	
Proposed Subdivision Name: <u>WEST END HEIGHTS</u>	Current Zone: _____
Proposed Use: _____	Proposed Zone: _____
Current Property Owner's Name: <u>CHARLES S. WEINER</u>	

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: Charles Weiner Date: 5/3/23

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:

TO Build a 28x40 Garage

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking: Parking will meet City Code

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

3. Traffic Impacts: No Impacts to Traffic

4. Protection of Neighborhoods: May Add More Lighting on Property

What licenses and permits (if any) are required for this proposed use?
Will get any license and permits as required by City

Please list or describe any other reasons to support this application.
Wanted to join two lots together to build a garage

David W. Kelly
Attorney at Law
512 W. Evergreen
PO Box 1047
Durant, OK 74702-1047

WARRANTY DEED

2007-594907 06/22/2007 3:27 pm
Book 1155 Page(s) 0859-0859
Fee: \$ 13.00 Doc: \$ 37.50
Patricia L. Brady - Bryan County Clerk
State of Oklahoma

KNOW ALL MEN BY THESE PRESENTS:

That STEVEN N. KELSO, a single person, party of the first part, in consideration of the sum of TEN (\$10.00) DOLLARS in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto CHARLES S. WEINER, of 1517 W. Elm, Durant, OK 74701, party of the second part, the following described real property and premises situate in Bryan County, State of Oklahoma, to-wit:

Lot 4 in Block 27 in WEST END HEIGHTS ADDITION to the City of Durant,
Bryan County, Oklahoma, according to the recorded plat thereof.

Less and except all oil, gas and other minerals outstanding of record.

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 the said party of the second part, his 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.

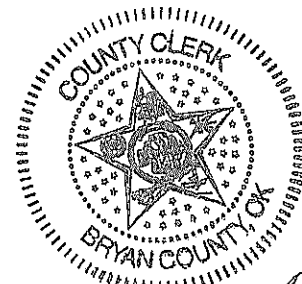
SIGNED AND DELIVERED this 22 day of June, 2007.

STATE OF OKLAHOMA
Bryan County
Documentary Stamps \$ 37.50

Steven N. Kelso
STEVEN N. KELSO

ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) ss.
COUNTY OF BRYAN)



Before me, the undersigned, a Notary Public in and for said County and State, on this 22 day of June, 2007, personally appeared STEVEN N. KELSO, a single person, to me known to be the identical person who executed the above and foregoing 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.

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

Patricia L. Brady

INDEXED

WARRANTY DEED
(INDIVIDUAL)

KNOW ALL MEN BY THESE PRESENTS:

State of Oklahoma 498481
County of Bryan
Filed 3-17-98
Book 911 Page 777 Tm. 922
Glenda Sue Williams
County Clerk Deputy

That; **LOU ANNE MORRIS**, a single woman, of Bryan County, State of Oklahoma, party of the first part, in consideration of the sum of Ten and more (\$10.00) Dollars, the receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto **CHARLES S. WEINER**, a single man, 1517 West Elm, Durant, OK 74701, of Bryan County, State of Oklahoma, party of the second part, the following described real property and premises, situated in Bryan County, State of Oklahoma, to-wit:

Lot 3 in Block 27, WEST END HEIGHTS ADDITION, to the City of Durant,
Bryan County, Oklahoma, according to the recorded plat thereof.

STATE OF OKLAHOMA
Bryan County
Documentary Stamps \$ 77.25

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 party of the second part, his heirs 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 SEALED this the 16th day of March, 1998.

Lou Anne Morris
LOU ANNE MORRIS

STATE OF OKLAHOMA)
COUNTY OF BRYAN)

)ss.

ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this 16th day of March, 1998, personally appeared LOU ANNE MORRIS, a single woman, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

1 and Seal the day and year last above written.

THE REPLAT OF LOTS 3 & 4 IN BLOCK 27 OF THE REPLAT OF WEST END HEIGHTS ADDITION
CITY OF DURANT, BRYAN COUNTY, OKLAHOMA

SURVEYOR NOTES:

- Notice: Selling a portion of this addition by metes and bounds is a violation of city ordinance and may be subject to fines and withholding of utilities and building permits

Charles Stuart Weiner
Owners

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That Charles Stuart Weiner, being the sole owner(s) in fee simple of the following described real property respectively, to wit:

FURNISHED LEGAL DESCRIPTION - Book 953 at Page 800:
Lot 3, Block 27 of West End Heights Addition to the City of Durant, Bryan County, Oklahoma

FURNISHED LEGAL DESCRIPTION - Book 1155 at Page 859:
Lot 4 in Block 27 in WEST END HEIGHTS ADDITION to the City of Durant, Bryan County, Oklahoma, according to the recorded plat thereof.

Charles Stuart Weiner, offers for dedication to the public use of all streets, avenues, parks, public facilities and easements as shown on the annexed plat of The Replat of Lots 3 & 4 in Block 27 of the Replat of West End Heights Addition, City of Durant, Bryan County, Oklahoma, to the City of Durant, Bryan County, State of Oklahoma. The transaction of this irrevocable offer of dedication shall be consummated upon the execution of the Certificate for Acceptance of Dedication for the purpose of providing an orderly development of The Replat of Lots 3 & 4 in Block 27 of the Replat of West End Heights Addition, City of Durant, Bryan County, Oklahoma, the City of Durant, Bryan County, State of Oklahoma, we do hereby provide restrictive covenants, and in Book 1155 at Page 859 of the records in the office of the County Clerk, Bryan County, Oklahoma.

STATE OF OKLAHOMA
COUNTY OF BRYAN

Before me, the undersigned, a Notary Public in and for said County and State on this 31 day of May, 2023, personally appeared Charles Stuart Weiner, to me known to be the identical person who executed the within and foregoing 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.

LICENSED LAND SURVEYORS CERTIFICATE

I, B.J. McIninch, a Licensed Land Surveyor in the State of Oklahoma, do hereby state that this plat of survey for The Replat of Lots 3 & 4 in Block 27 of the Replat of West End Heights Addition, City of Durant, Bryan County, Oklahoma, an addition to the City of Durant, is based on an actual field survey, by myself, or under my direction, in conformance with the Oklahoma Minimum Standards for the Practice of Land Surveying. All lot and block corners of aforementioned plat will be 2" steel pins set with PLS 1819 ID cap unless otherwise shown on plat. This plat of The Replat of Lots 3 & 4 in Block 27 of the Replat of West End Heights Addition, City of Durant, Bryan County, Oklahoma is subject to easements and/or rights-of-way, covenants, and other restriction, either recorded, or implied, thereof.

STATE OF OKLAHOMA
COUNTY OF BRYAN

Before me, the undersigned, a Notary Public in and for said County and State on this 21st day of April, 2023, personally appeared B.J. McIninch to me known to be the identical person who executed the within and foregoing 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.

COUNTY TREASURERS CERTIFICATE

I, _____, The duly elected and qualified County Treasurer of Bryan County, Oklahoma, do hereby certify that there are no unpaid taxes up to and including the year 2022 on the described real property known as The Replat of Lots 3 & 4 in Block 27 of the Replat of West End Heights Addition, City of Durant, Bryan County, Oklahoma being a part of Bryan County, State of Oklahoma, and the required security has been deposited in the office of the County Treasurer guaranteeing payment of the current years taxes.

Witness my hand this ____ day of _____, 2023.

STATE OF OKLAHOMA
COUNTY OF BRYAN

Before me, the undersigned, a Notary Public in and for said County and State on this ____ day of _____, 2023, personally appeared _____ to me known to be the identical person who executed the within and foregoing 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.

DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL

The Oklahoma State Department of Environmental Quality, certifies that this plat is approved for the construction of a _____ sewage disposal system and a _____ water system this ____ day of _____, 2023.

COUNTY CLERK CERTIFICATE
STATE OF OKLAHOMA
COUNTY OF BRYAN

This instrument, _____ was filed on the ____ day of _____, 2023 at _____, and duly recorded in book _____ page _____.

DURANT CITY PLANNING COMMISSION - APPROVAL AND ACCEPTANCE

I, _____, Chairman of the Durant Planning Commission for the City of Durant, State of Oklahoma, hereby certify that the said commission duly approved the annexed plat of The Replat of Lots 3 & 4 in Block 27 of the Replat of West End Heights Addition, City of Durant, Bryan County, Oklahoma, on this ____ day of _____, 2023.

DURANT CITY COUNCIL - APPROVAL AND ACCEPTANCE

Let it be resolved by the City Council of the City of Durant, Bryan County, Oklahoma, that the streets, avenues, and easements for public use on this plat of The Replat of Lots 3 & 4 in Block 27 of the Replat of West End Heights Addition, City of Durant, Bryan County, Oklahoma, to the City of Durant, Bryan County, Oklahoma and are hereby accepted. Adopted by the City Council of the City of Durant, Bryan County, Oklahoma, this ____ day of _____, 2023.

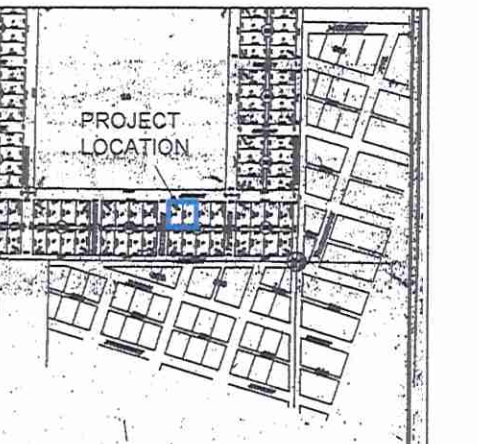
Signed _____ Mayor Signed _____ City Clerk

BM SURVEYING, INC

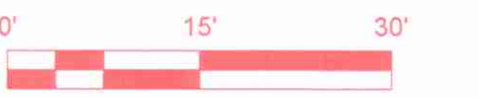
125 BUFFALO ST. CADDO, OK
PO BOX 26 CADDO, OK 74729
(580) 279-9544
BM.SURVEYING@YAHOO.COM

B.J. MCININCH - COPYRIGHT 2023
PROFESSIONAL LAND SURVEYOR - #1819
CERTIFICATE OF AUTHORIZATION - #7076

THE REPLAT OF LOTS 3 & 4
IN BLOCK 27 OF THE REPLAT
OF WEST END HEIGHTS
ADDITION, CITY OF DURANT,
BRYAN COUNTY, OKLAHOMA



LOCATION MAP



-BASIS OF BEARINGS-
OKLAHOMA STATE PLANE BEARINGS
(NAD 83)
OF N 89°05'36" E ALONG THE NORTH LINE OF
BLOCK 27 OF THE REPLAT OF WEST END HEIGHTS
ADDITION TO THE CITY OF DURANT, BRYAN COUNTY,
OKLAHOMA

GENERAL NOTES

SUBJECT TO EASEMENTS AND/OR RIGHTS-OF-WAY, EITHER
RECORDED, OR IMPLIED, THEREOF.
NO UTILITIES OF ANY KIND HAVE BEEN LOCATED EXCEPT THOSE
SHOWN ON THE ABOVE PLAT.

CONTROLLING CORNERS FOR THIS SURVEY ARE AS SHOWN ON THE
LOCATION MAP.
THIS IS NOT A VALID SURVEY WITHOUT THE SURVEYORS ORIGINAL
SIGNATURE AND ORIGINAL SEAL.

PORTIONS OF THIS PLAT ARE IN COLOR. PHOTO AND ELECTRONIC
COPIES OF THIS PLAT MAKE IT INVALID AND MAY ALTER ITS
MEANING.

THIS PLAT AND 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.



NO.	REVISION/ISSUE	DATE

SURVEY INFORMATION	4-10-23 TO
FIELD WORK PERFORMED:	4-11-23
DATE OF LAST SITE VISIT:	4-11-23
PLAT COMPLETED:	4-21-23

Project:
THE REPLAT OF LOTS 3 & 4 IN BLOCK 27 OF THE
REPLAT OF WEST END HEIGHTS ADDITION, CITY OF
DURANT, BRYAN COUNTY, OKLAHOMA

DATE 4-21-23

SCALE 1" = 15'

SHEET NO. 1 OF 1

LEGEND

These standard symbols may
be found in the drawing.

- BOUNDARY LINE
- LOT LINES
- EXISTING FENCES
- OVERHEAD ELECTRIC
- GAS METER
- WATER METER
- SEWER MANHOLE
- POWER POLE
- TELEPHONE PEDESTAL
- FIRE HYDRANT
- WATER VALVE
- FOUND 3/8" STEEL PIN
- FOUND RAILROAD SPIKE
- CALCULATED POINT (NOTHING SET)
- FOUND 3/4" PIPE
- FOUND 5/8" STEEL PIN
- SET 1/2" STEEL PIN (PLS 1819)
- SET MAG NAIL (PLS 1819)

BLOCK 27



THE CITY OF DURANT

Office of Community Development

Date: 06/27/2023
To: Planning Commission
Case: PC 2023-15
From: Danielle O'Neal, Community Development Director
Re: Rezoning Request from the A-1 General Agriculture District to the R-1 Single Family Residential District for property located near Larkspur Lane and Overland Drive.

Request: Consider a request from Vithe Nguyen, for a rezoning of the property located near located near Larkspur Lane and Overland Drive.

Current Zoning: A-1, General Agriculture

Requested Zoning: R-1, Single Family Residential District

Surrounding Properties:

Direction	Zoning	Use
North	A-1	Vacant
West	A-1	Vacant
South	A-1	Vacant
East	R-1	Single Family Uses

Lot Characteristics (Current Lot):

Width	~ 315 ft.
Depth	~271 ft.
Total Area	~1.96 acres (~85,365 sq. ft.)

Applicant: Vithi Nguyen

Background: The applicant approached staff regarding the rezoning of this property with the desire of building a single family home or residential development.

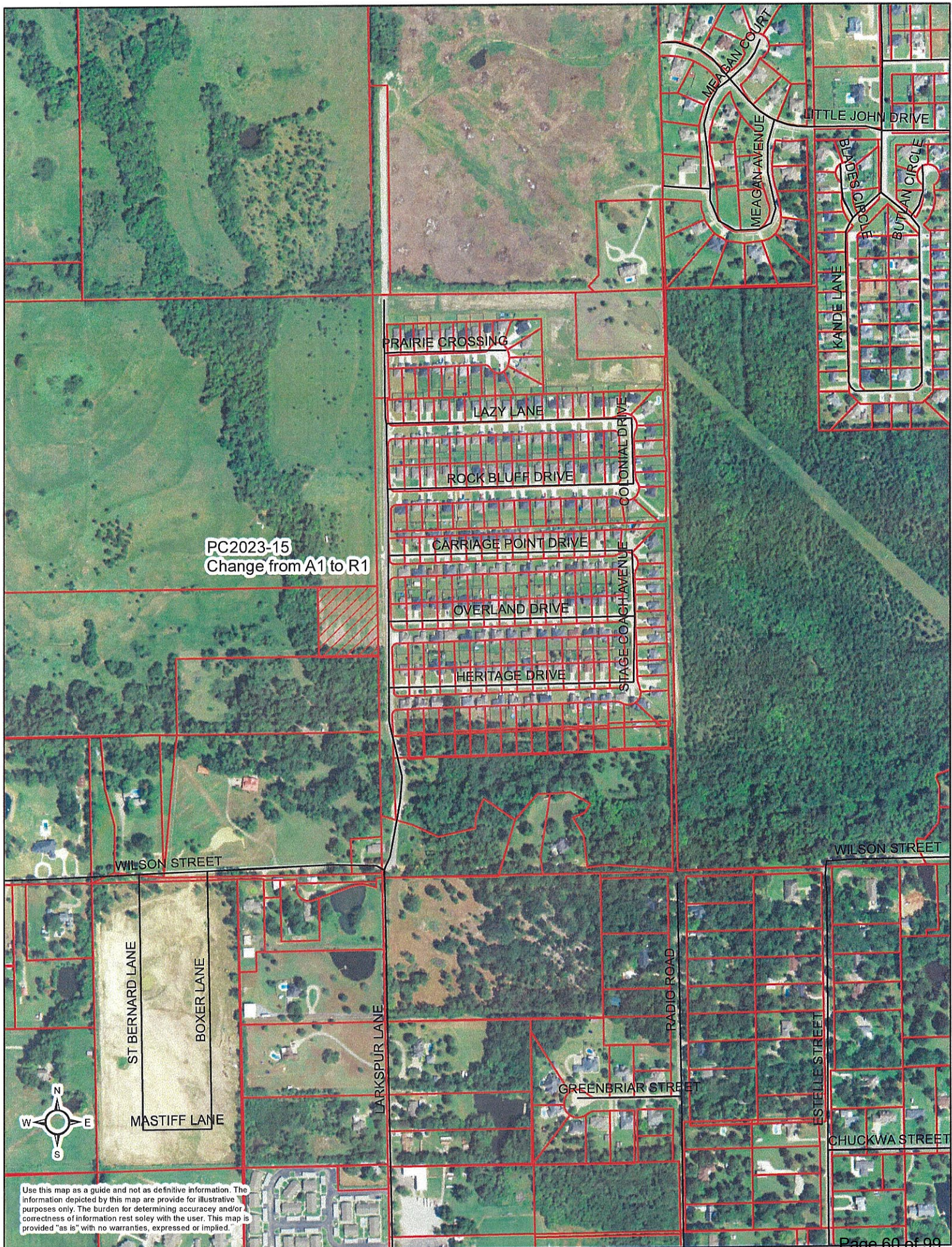
Notifications have been made to the surrounding property owners and at the time of this report staff has received 1 letter of protest regarding this request.

Analysis: The aforementioned property is approximately 1.95 acres total and is currently a vacant lot. The area is made up of mostly Agriculture Zoned property with Single-Family Residential properties across the street. The subject property does meet the requirements for the requested zoning type.

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

Staff Recommendation: Staff does not have any issues with this rezoning request; however, should there be a recommendation for approval, staff requests that it be contingent upon having a plat approved, filed and brought back to Community Development within 90 days.

Required Action: Hold a public hearing to recommend approval or denial of the rezoning request for the property located near Larkspur Lane and Overland Drive. Any specific conditions imposed by the Commission should be read into any approval motion.



PC2023-15
Change from A1 to R1

PRAIRIE CROSSING

LAZY LANE

ROCK BLUFF DRIVE

CARRIAGE POINT DRIVE

OVERLAND DRIVE

HERITAGE DRIVE

COLONIAL DRIVE

STAGE COACH AVENUE

MEAGAN AVENUE
MEAGAN COURT

LITTLE JOHN DRIVE

BLADES CIRCLE
KANDE LANE

BUTAN CIRCLE

WILSON STREET

WILSON STREET

ST BERNARD LANE

BOXER LANE

MASTIFF LANE

LARKSPUR LANE

RADIO ROAD

GREENBRIAR STREET

ESTELLE STREET

CHUCKWA STREET



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.

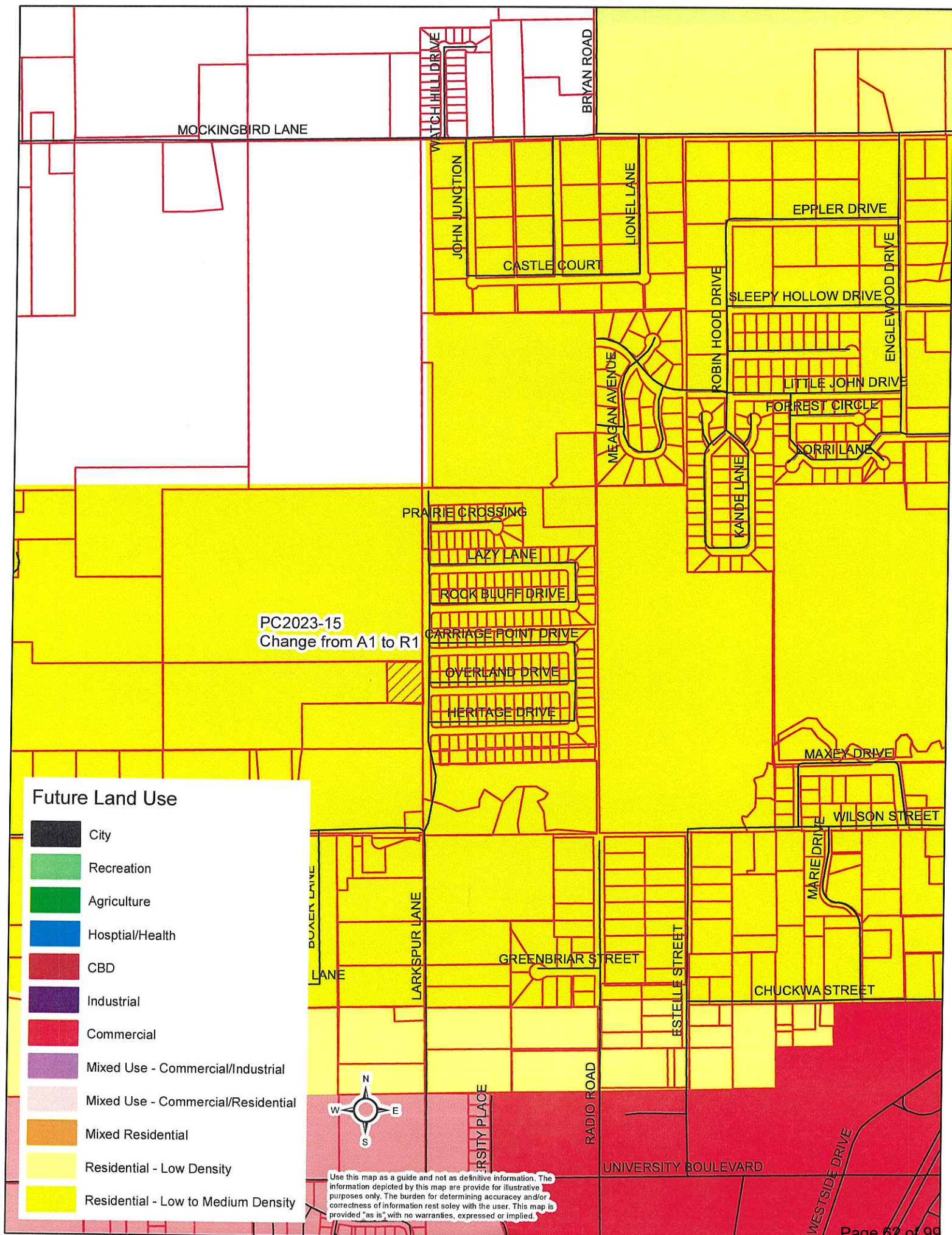
PC2023-15
Change from A1 to R1

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 District to R-1, Single-Family District for property located near Larkspur Lane and Overland Drive, in Durant, and more particularly described as;

The North 315.00 feet of the East 270.00 feet of the N/2 SW/4 SE/4 of Section 24. Township 6 South, Range 8 East of the Indian Meridian, Bryan County, Oklahoma, according to the Government Survey thereof.

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 July, 2023.

Martin Tucker, Mayor
City Of Durant, Oklahoma

ATTEST:

Cynthia J. Price, City Clerk

§ 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)

REZONING APPLICATION

Petition # PL 2023-15
 Fee \$ 300.00

APPLICANT INFORMATION

Name: Vithi Nguyen	Email:	Phone #1 469-358-7332
Mailing Address: 3600 Overland Dr		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:			
☐ Platted ☐ Un-Platted	Subdivision	Lot	Block
Legal Description: The North 315.00 feet of the East 270.00 feet of the N/2 SW/4 SE/4 of Section 24, Township 6 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof.			
☒ Deed Attached (required) If applicant is not owner listed on deed, owner consent must be included.			

Request Rezoning From: Agricultural	Request Rezoning To:		
Present Use: NONE	Proposed Use:		
Parcel Width: 270.00'	Parcel Length: 315.00'	Acres: 1.95	Street/Road Frontage: Heritage Dr
☒ City Water (If City Water will be extended or improvements will be made, please explain:)			
☒ 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.

Signature of Applicant [Signature]

Date 5-11-23

Office Use Only

Date Filed	Date Payment Received	Notification Mailed Date	Comments
Initial	Initial	Initial	
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.

Demand for housing in the Durant and surrounding areas has increased year after year. New employment opportunities in Texoma has spurred growth and migration to this area. Zoning this property for residential will only add value to our community.

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.

Zoning this property to R1 is accordance to the Comprehensive Plan

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

Rezoning this property will add value and help our community grow.

Bryan County Abstract Company
Serving Bryan County Since 1903

After recording, return to:
Tuong Vi Thi Nguyen
1617 Primrose Pl
Allen, TX 75002

JOINT TENANCY WARRANTY DEED

Documentary Stamps: \$97.50

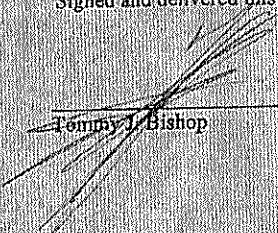
That **Tommy J. Bishop and Alicia Rayann Bishop, husband and wife**, (the "Grantor"), in consideration of the sum of TEN & NO/100 Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do(es) hereby, grant, bargain, sell and convey unto **Tuong Vi Thi Nguyen Toan V. Nguyen, wife and husband**, as joint tenants and not as tenants in common, with right of survivorship, the whole estate to vest in the survivor, (the "Grantee"), the following described real property and premises situate in **Bryan County, Oklahoma**, to wit:

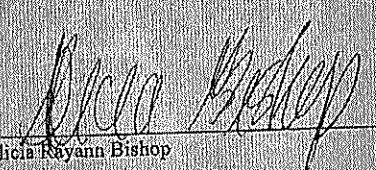
The North 315.00 feet of the East 270.00 feet of the N/2 SW/4 SE/4 of Section 24, Township 6 South, Range 8 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof.

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 of the survivor, 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 9th day of June, 2021.


Tommy J. Bishop


Alicia Rayann Bishop

ACKNOWLEDGMENT - OKLAHOMA FORM

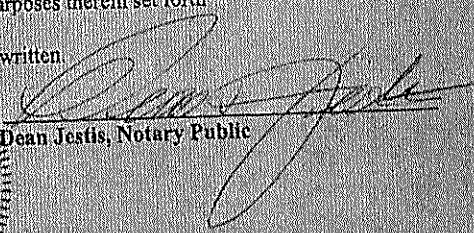
State of: **Oklahoma**

)
)SS.
)

County Of: **Bryan**

Before me, the undersigned, a Notary Public, in and for said County and State, on this 9th day of June, 2021 personally appeared **Tommy J. Bishop and Alicia Rayann Bishop, 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.

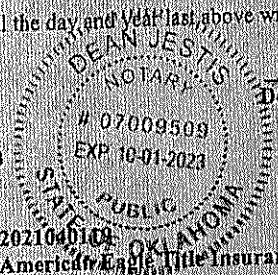
Given under my hand and seal the day and year last above written.


Dean Jestis, Notary Public

My Commission Expires: **10/01/2023**

File No.:

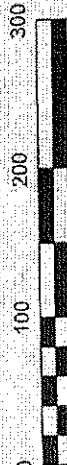
Name of Title Insurer:


2021040109
American Eagle Title Insurance Company

ONLINE

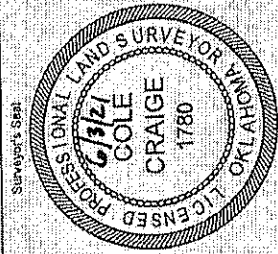
IRON PIN FOUND
1/2" IRON PIN SET (PLS 1780)
RAILROAD SPIKE FOUND
BARS WIRE FENCE
BOUNDARY LINE
16.5' STATUTORY F.W.

6/3/21 late large
DATE COLE CRAIG PLS #0780



P.O. BOX 983 BOKCHITO, OK 74728
(580) 285-2404
CA # 8165, PLS # 1780
craigssurveying@gmail.com
conetragep's.com

PART OF SW/4 SE/4
SECTION 24 T6S R8E
BRYAN COUNTY, OKLAHOMA



SURVEY INFO.	REVISION/ISSUE REVISION DATE
1. SURVEY ORDERED- 8-5-21	1.
2. FIELDWORK DATE(S) 6-2-21	2.
3. SURVEY PLAT COMPLETE- 6-3-21	3.
4. DATE OF LAST VISIT 6-2-21	4.
SCALE 1" = 100'	SHEET 1 OF 1

[illegible]

PAGE CIPHERS: CDPYR:GHT 2021

**Bryan County Rural Water, Sewer, and Solid Waste Management
District No. 2**

9077 U.S. Hwy 70
8517
P. O. Box 119
Mead, OK 73449-0119
711
Website: www.ruralwater2.com
rwd2@totalnet.us

Telephone (580) 924-

Fax (580) 931-3911
(TDD/TTY) -

Email:

5/11/2023

Durant City Utility,

N/2SW/4SE/4 of Sec 24, T-6-S, and R-8-E will be provided water service by Bryan County Rural Water District #2.

Sincerely,

Regina Clinton, Manager

This institution is an equal opportunity provider and employer. In accordance with Federal law and the U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the base of race, color, national origin, religion, sex, age, disability or familial status. (Not all prohibited bases apply to all programs.) To file a complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-



Durant.org
Powered by Google

Kari Speers <kspeers@durant.org>

PC2023-15 Concerns and Comments of Opposition

1 message

billy miller <bm66048@gmail.com>

Wed, Jun 14, 2023 at 1:29 PM

To: planning@durant.org

Attention: Ms. Danielle O'Neal, Office of Community Development Director, City of Durant

Reference: Notice of Public Hearing PC2023-15. Please see the attached document for my concerns and comments of opposition.

Please acknowledge receipt of this email.

Respectfully,

Billy & Michelle Miller
3600 Carriage Point Drive
Durant, OK 74701
913-306-33363



Miller_PC2023-15 Concerns and comments of opposition.pdf
129K

Community Development Department
P.O. Box 578
Durant, OK 74702
www.durant.org
planning@durant.org

Attention: Ms. Danielle O'Neal, Office of Community Development Director, City of Durant

Reference: Notice of Public Hearing PC2023-15

We are adamantly opposed to this request for rezoning. We cannot be physically present at the public hearing to be held on June 27, 2023, but wish and deserve to be heard and express our concerns. We would also like our letter to be read in into the minutes of the coming meeting on June 27 and July 11, 2023, and any subsequent meetings.

While we are sure the Planning Commission makes decisions in the cities' best interest, we are not sure this means that these decisions will benefit the current residents, especially in this case. Here are our concerns:

- Potential property value losses. Bigger is not always better and there will be many homes built in this relatively small area. How will this affect our property values? This proposed project will affect our lives, property and quality of life.
- Run-off and drainage of rainfall. There are already flooding and drainage problems in the housing division (all back yards located on Carriage Pointe Drive flood as well as others). With an increased runoff from another subdivision and the hardscapes and paved areas, drainage will only exacerbate the problem especially in the areas nearest the creek.
- The existing infrastructure is not designed for high density development. What infrastructure improvements, roadways, sewage, electrical, etc. are under consideration pertaining to this project? How will this affect our taxes?
- Who will pay for the infrastructure improvements, roadways, sewage, electrical, etc.? This burden should not fall on us. Again, how will this affect our taxes?
- There are already inadequate roads in and out of the area. Roadways and intersections, specifically those South to Washington Road are already narrow and dangerous, and with the added congestion, these roads will become much worse with the increased traffic. There might be other roads in the planning future, however, we specifically need "quick access" to the hospital for emergencies. The current entrances will not adequately support a larger housing development this would create a dangerous situation for cars and pedestrians and disrupt the quality of life for us, our neighbors, and the other residents. The

proposed development would endanger access to our basic needs and the increased traffic would be extremely dangerous.

- Construction traffic. Traffic in our subdivision is already congested, it will become more so with the scale of the proposed project. This project will increase congestion, decrease public safety, decrease our quality of life, and increase risk to residents.
- Has an environmental impact study been completed? If so, what independent agency conducted the study and when will we have access to these studies?
- Has an "engineering study" been conducted to ensure the current infrastructure will support this proposal? When will an engineering study be made available for review?
- Crime. Construction almost always draws the attention and some of that is undesirable. The spillover of crime/theft/etc. in the proposed area will definitely affect our safety and quality of life.
- How will the proposed subdivision and rezoning the area affect our quality of life; not only short term, but also long term? The parcel of property currently being considered is partially wooded with fields, providing some stream protection, allows for groundwater to recharge, and a wonderful wildlife habitat. If we are to be responsible inhabitants, planners, and citizens then these natural elements must be protected from excessive development.

Progress for the city is good, but not at the expense of citizen's property (our property). Our home is a lifetime investment, and our quality of life and public safety should be considered and not infringed upon. For the concerns listed above, we again adamantly oppose the request to rezone and proposed new subdivision.

Respectfully,

A handwritten signature in black ink, appearing to read "Billy & Michelle Miller". The signature is stylized with a large "B" and a long, sweeping underline.

Billy & Michelle Miller
3600 Carriage Point Drive
Durant, OK 74701



THE CITY OF DURANT

Office of Community Development

Date: 06/27/2023
To: Planning Commission
Case: PC 2023-16
From: Danielle O'Neal, Community Development Director
Re: Planned Unit Development – Preliminary Plat located near Lindenwoods Drive and Thomas Circle

Request: Consider a request from HPH Investors LP (Ryan Hackett), for a Planned Unit Development – Preliminary Plat located near Lindenwoods Drive and Thomas Circle.

Current Zoning: R-3 – General Residential

Surrounding Properties:

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

Lot Characteristics:

Width	~ 531 ft.
Depth	~ 519 ft.
Total Area	~ 6.3 acres (~275,589 sq. ft.)

Applicant: HPH Investors LP (Ryan Hackett)

Background: Applicants approached staff regarding filing for a preliminary plat with an overlay of a PUD (Planned Unit Development) for LindenWoods Townhomes IV. The applicant has stated that this area would be an apartment structures that will also have a management office onsite as well that will manage the property. Parking is stated to meet the City Ordinance requirements. The site plan does show five multi-family structures with onsite parking. The site plan further shows that there will be 40 units total within the development.

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 regarding this request.

Analysis: The subject property is approximately 6.3 acres in total, and is planned to be divided into 4 lots with on street parking. The applicant is planning to have up to two multi-family complexes per lot. The plans do call for the streets to be considered public streets. Additionally, the streets shown on the plans have a smaller ROW listed then is required by ordinance. Should this be approved further review into water runoff, building plans and fire plans will be reviewed as well. The applicant will have to come back for a final plat should this be approved with public infrastructure.

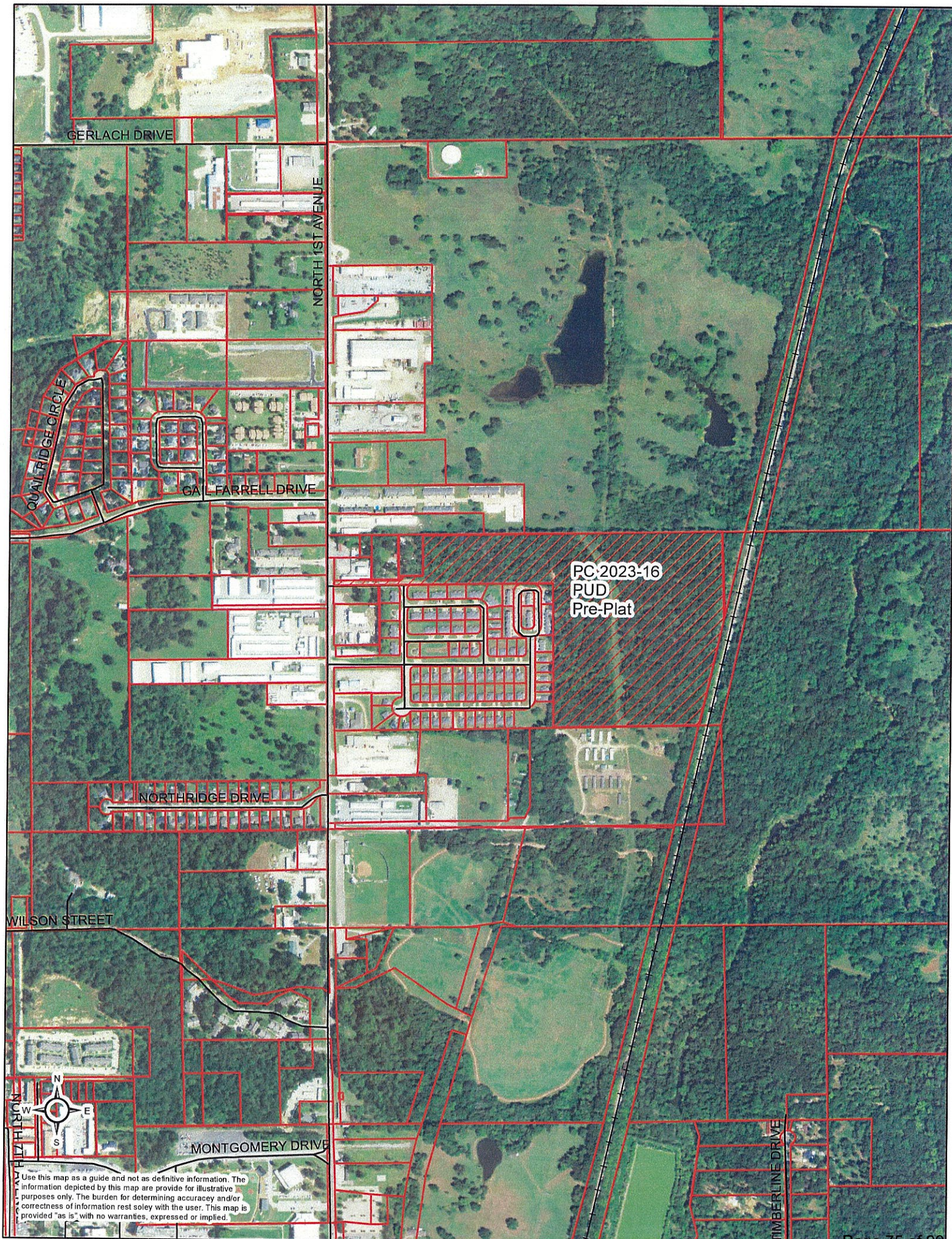
The site plan does indicate that the development will meet all required setbacks and the applicant is aware that it will be required to install streetlights and sidewalks.

Staff members reviewed and signed off on this project with the following provisions being requested. Public Works staff has indicated that they wish for the infrastructure to be private instead of public. The current Lindenwoods Drive according to city records indicate it is a private drive. The applicant will need 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 should they disturb greater than 1 acre.

The current Land Use Map has this area as mixed use (commercial / residential); therefore, this PUD / Preliminary Plat request is generally in compliance with the Comprehensive Plan.

Staff Recommendation: Staff does not have any issues with this request; however, with staff asking for the infrastructure to be private and the applicant asking for it to be public, it will be up to the Planning Commission and Council on their final decision.

Required Action: Hold a public hearing and recommend approval or denial the Planned Unit Development – Preliminary Plat request for the location near Lindenwoods Drive and Thomas Circle. Any specific conditions imposed by the Commission should be read into any approval motion.



GERLACH DRIVE

NORTH 1ST AVENUE

QUAL RIDGE CIRCLE

GAIL FARRELL DRIVE

PC-2023-16
PUD
Pre-Plat

NORTHBRIDGE DRIVE

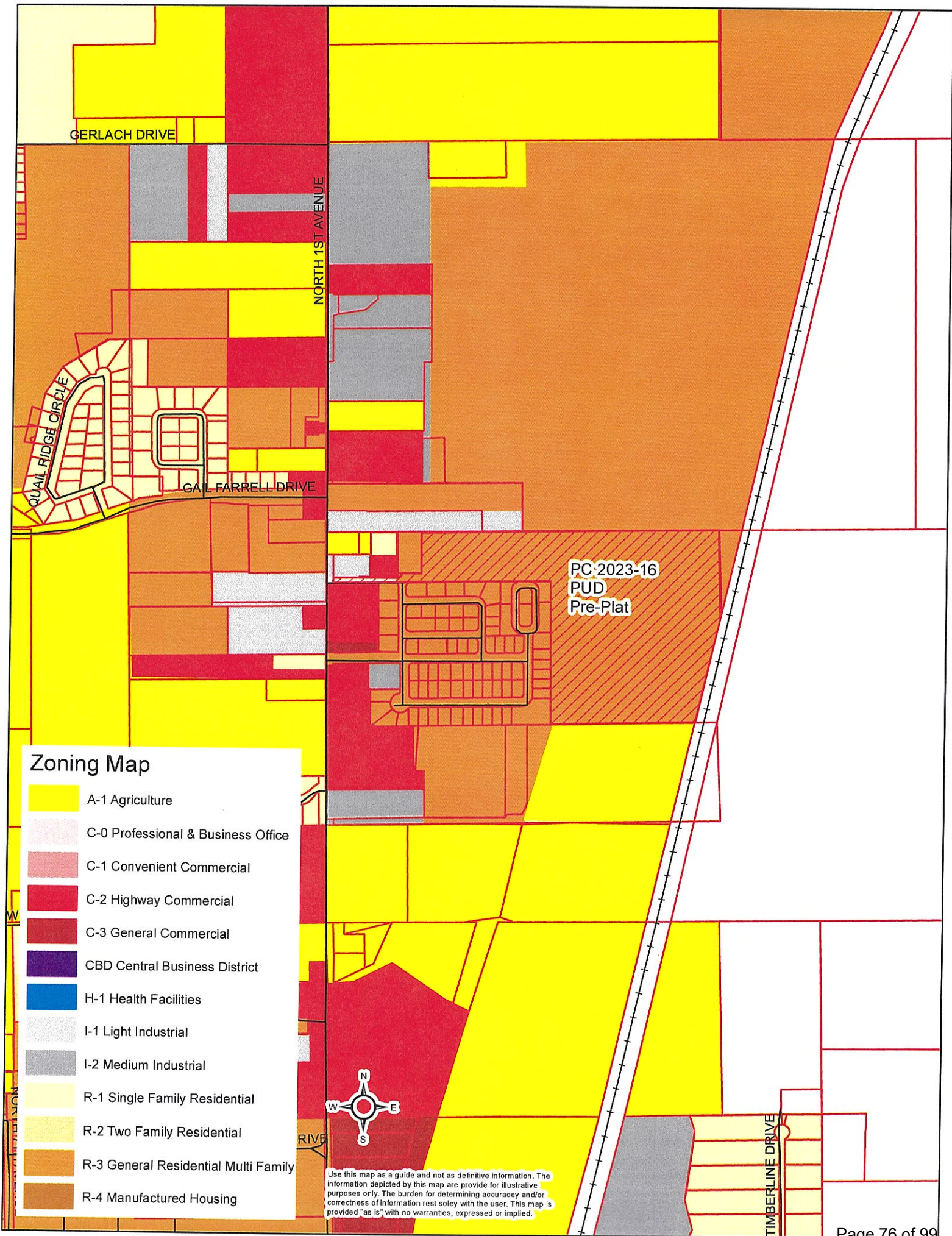
WILSON STREET

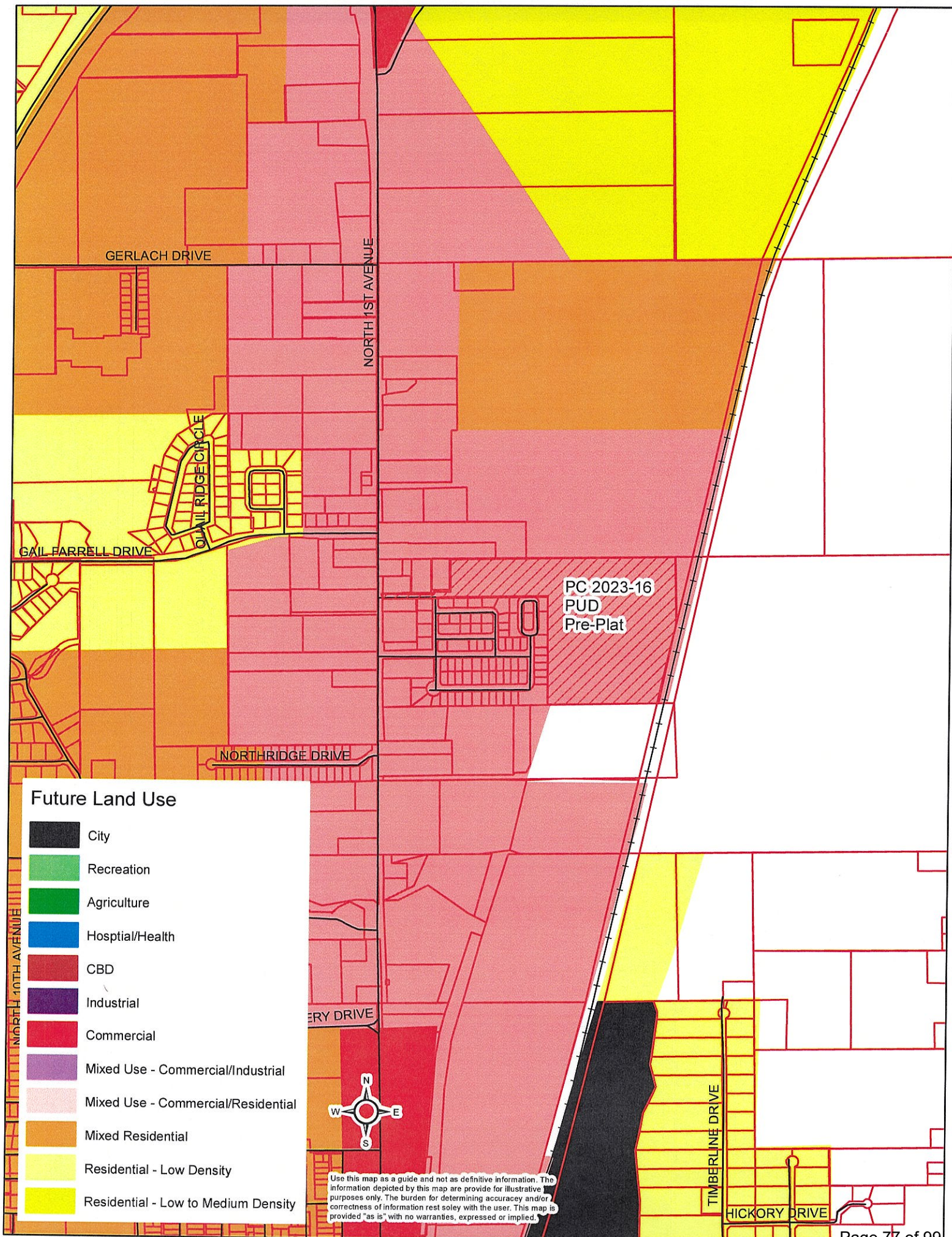


MONTGOMERY DRIVE

TIMBERLINE DRIVE

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Subdivision/Plat Application

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

Petition # _____

Fee \$ _____

Expedited Fee \$ _____

APPLICANT INFORMATION

Name: HPH Investors LP (Ryan Hackett)	Email: ryan@desertridgeinvestments.com	Phone #1 801-554-1912
Mailing Address: 11837 Kingsville Drive		Phone #2
City: Frisco	State: TX	Zip: 75035
Applicant's Interest in Property: Owner		Fax #

SURVEYOR INFORMATION

Name: Bennett-Morris Surveying (Robby Johnson)	Email: rjohnson@okrpls.com	Phone #1 580-399-6460
Mailing Address: P.O. Box 2618		Phone #2
City: Ada	State: OK	Zip: 74821
Surveyor Oklahoma License Number: R.P.L.S. 1539		Fax #

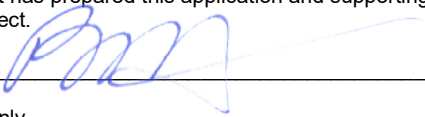
ENGINEER INFORMATION

Name: Wallace Design Collective (Mili Angier)	Email: Mili.Angier@wallace.design	Phone #1 405-536-2014
Mailing Address: 410 N Walnut Ave, Suite 200		Phone #2
City: Oklahoma City	State: OK	Zip: 73104
Engineer Oklahoma License Number: 32385		Fax #

LAND INFORMATION

Legal Description: A tract of land located in the North Half of t Quarter (N/2 SW/4) of Section Twenty-One (21), Township S South, Range Nine (9) East of the Indian Base and Meridian County, Oklahoma (see attached full legal)	Parcel Number: 070045361
Proposed Subdivision Name: Linden Wood Phase 5	Current Zone: R3
Proposed Use: Multi-Family development	Proposed Zone: PUD
Current Property Owner's Name: HPH Investors LP (Ryan Hackett)	

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: **5/22/2023**

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 apartment units will be rental units. The entire development, including grounds will be managed by a management company.

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking: Parking shall be provided in accordance to city code: 2.5 spaces/multifamily unit.

2. Screening of offensive areas (trash, loading areas, transformers, utility connections, detention ponds, etc.). Masonry trash enclosures with steel gates will be provided. Transformers will be screened by landscaping.

3. Traffic Impacts: This development will have minimal impact to adjacent surrounds area as there is no through traffic. The existing Linden Woods Drive right-of-way will be extended to serve this development.

4. Protection of Neighborhoods: The on-site leasing office will oversee the property.

What licenses and permits (if any) are required for this proposed use? All appropriate permits will be obtained, including building, electrical, mechanical, plumbing, fire suppression.

Please list or describe any other reasons to support this Planned Unit Dev. Permit Application. The proposed development will provide additional housing options for the local population. The development of vacant land will bring in higher property taxes for the County and School District. Additionally, increase in population will in return bring higher sales and use tax revenues for the City of Durant.

MODERN

abstract and title

WARRANTY DEED



KNOW ALL MEN BY THESE PRESENTS:

That **Dana Haggard and William M Elliott, husband and wife**, 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 **HPH Investors, LP, a Limited Liability Partnership, 11837 Kingsville Dr. Frisco TX 75035**, 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:

See Exhibit A attached hereto and made a part hereof.

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

GRANTOR RESERVES all, if any, which grantor owns interest, in and to all of the oil, gas and all other minerals of every kind or character in and under and that may be produced from the above described lands is hereby reserved by said GRANTOR, together with the right of ingress and egress at all times for the purpose of mining, drilling, exploring, operating and developing said lands for oil, gas and other minerals and all other rights and privileges necessary for the economical operation of said land for the production and removal of said minerals

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: \$586.50

SIGNED AND SEALED this the 29th day of July, 2021.


Dana Haggard

William M Elliott

STATE OF OKLAHOMA
Bryan County
Documentary Stamps \$ 586.50

NOTARY AND ACKNOWLEDGMENT

STATE OF OKLAHOMA

COUNTY OF BRYAN

I, Jennifer Coley, a Notary Public for the County of Bryan and State of Oklahoma, do hereby certify that Dana Haggard and William M Elliott, husband and wife, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

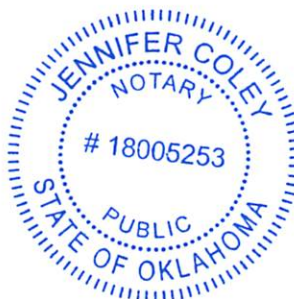
Witness my hand and official seal, this the 29th of July, 2021.


Notary Public

My Commission Expires: May 24, 2022

(SEAL)

File No.: 201108556



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

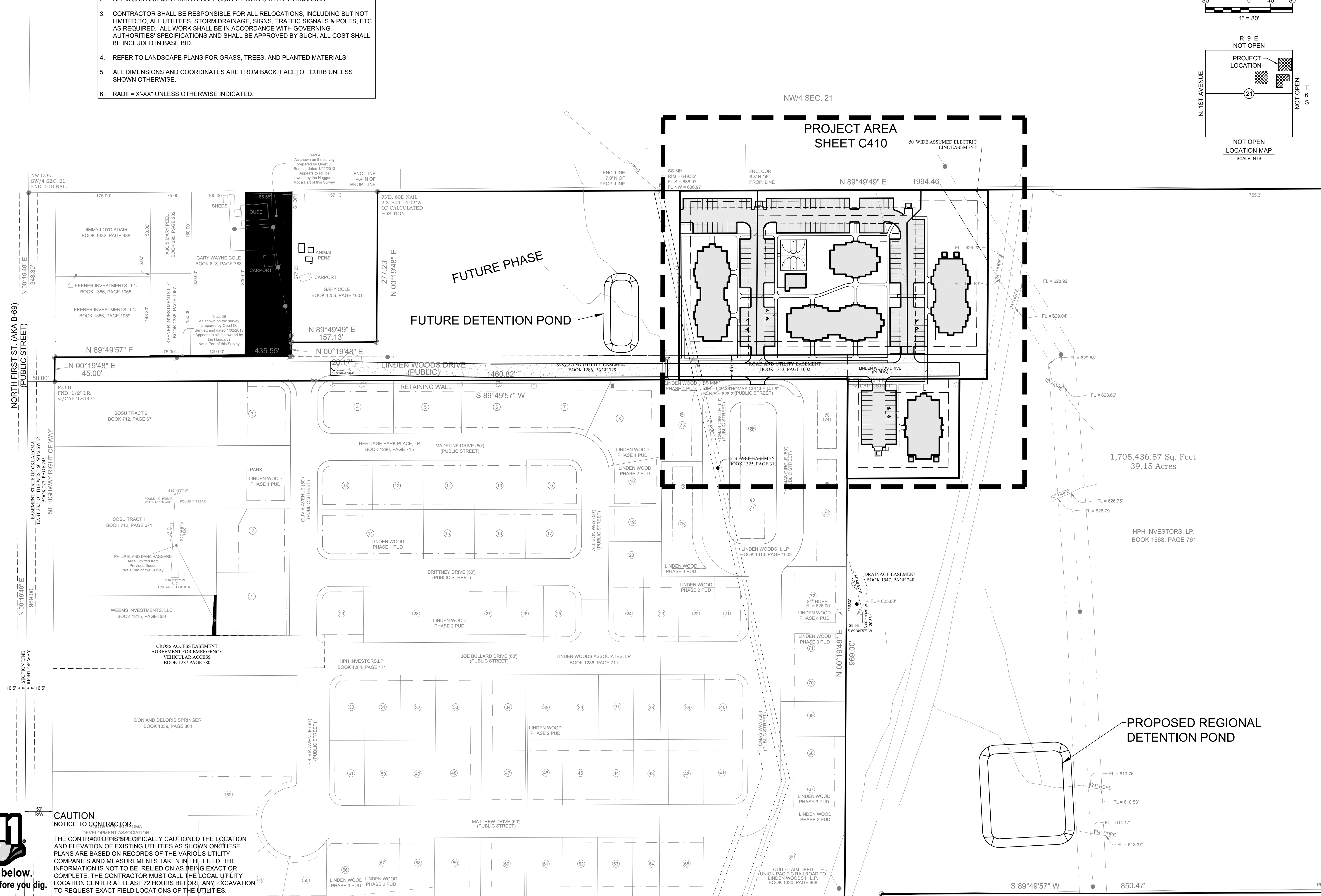
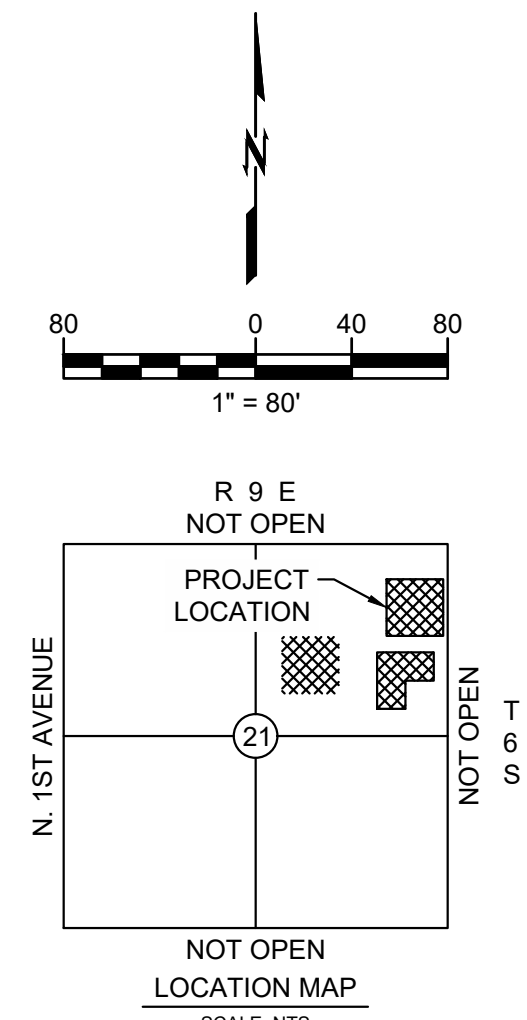
319 W. Main Street | Durant, OK 74701 | (580)745-5363
www.ModAbstractTitle.com

EXHIBIT "A"

A tract of land located in the N/2 SW/4 of Section 21, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof, being more particularly described as follows: Commencing at the Southwest Corner of said N/2 SW/4; thence N00°19'48"E along the West line of said N/2 SW/4, a distance of 969.00 feet; thence N89°49'57"E, a distance of 50.00 feet to the True Point of Beginning, said point being in the East Right-of-Way line of U.S. 69 Business Route; thence N00°19'48"E along said East Right-of-Way line, a distance of 45.00 feet to a point in the North line of the 45 foot wide Road and Utility Easement as recorded in the Office of the Bryan County Clerk in Book 1286, Page 729; thence N89°49'57"E along said North line, a distance of 592.68 feet; thence N00°19'48"E, a distance of 303.41 feet to a point in the North line of said N/2 SW/4; thence N89°49'49"E along said North line, a distance of 1994.46 feet to the Northeast Corner of said N/2 SW/4; thence S00°15'29"W along the East line of said N/2 SW/4, a distance of 423.56 feet to a point in the West Right-of-Way line of the Union Pacific Railway; thence S13°42'22"W along said West Right-of-Way line, a distance of 900.14 feet; thence S89°49'57"W parallel with and 20 feet North of the South line of said N/2 SW/4, a distance of 850.47 feet to a point in the East Right-of-Way line of the Kansas, Oklahoma & Gulf Railway; thence S18°46'36"W along said East Right-of-Way line, a distance of 21.15 feet to a point in the South line of said N/2 SW/4; thence S89°49'57"W along said South line, a distance of 61.43 feet; thence N00°19'48"E, a distance of 969.00 feet; thence S89°49'57"W, a distance of 1460.82 feet to the True Point of Beginning.

I-2021-735968 Book 1568 Pg: 762
07/30/2021 8:08 am Pg 0761-0762
Fee: \$ 20.00 Doc: \$ 586.50
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

1. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL MUNICIPAL REGULATIONS AND CODES, WHICHEVER IS MORE STRINGENT.
2. ALL WORK AND MATERIALS SHALL COMPLY WITH O.S.H.A. STANDARDS.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES' SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
4. REFER TO LANDSCAPE PLANS FOR GRASS, TREES, AND PLANTED MATERIALS.
5. ALL DIMENSIONS AND COORDINATES ARE FROM BACK (FACE) OF CURB UNLESS SHOWN OTHERWISE.
6. RADII = X'-XX" UNLESS OTHERWISE INDICATED.



wallace
design
collective

alliance design collective, pc
structural-civil-landscape-survey
10 north walnut ave, suite 200
oklahoma city, oklahoma 73104
5.236.5858
oklahoma ca 1460 exp: 6-30-23

LINDENWOODS PHASE IV & V

N. 1st Ave. and Lindenwoods Dr.
Durant, Oklahoma

DATE	DESCRIPTION	REV
DATE		
PROJECT NO.		
SHEET NAME		
SHEET NO.		



Know what's **below**.
Call before you dig.

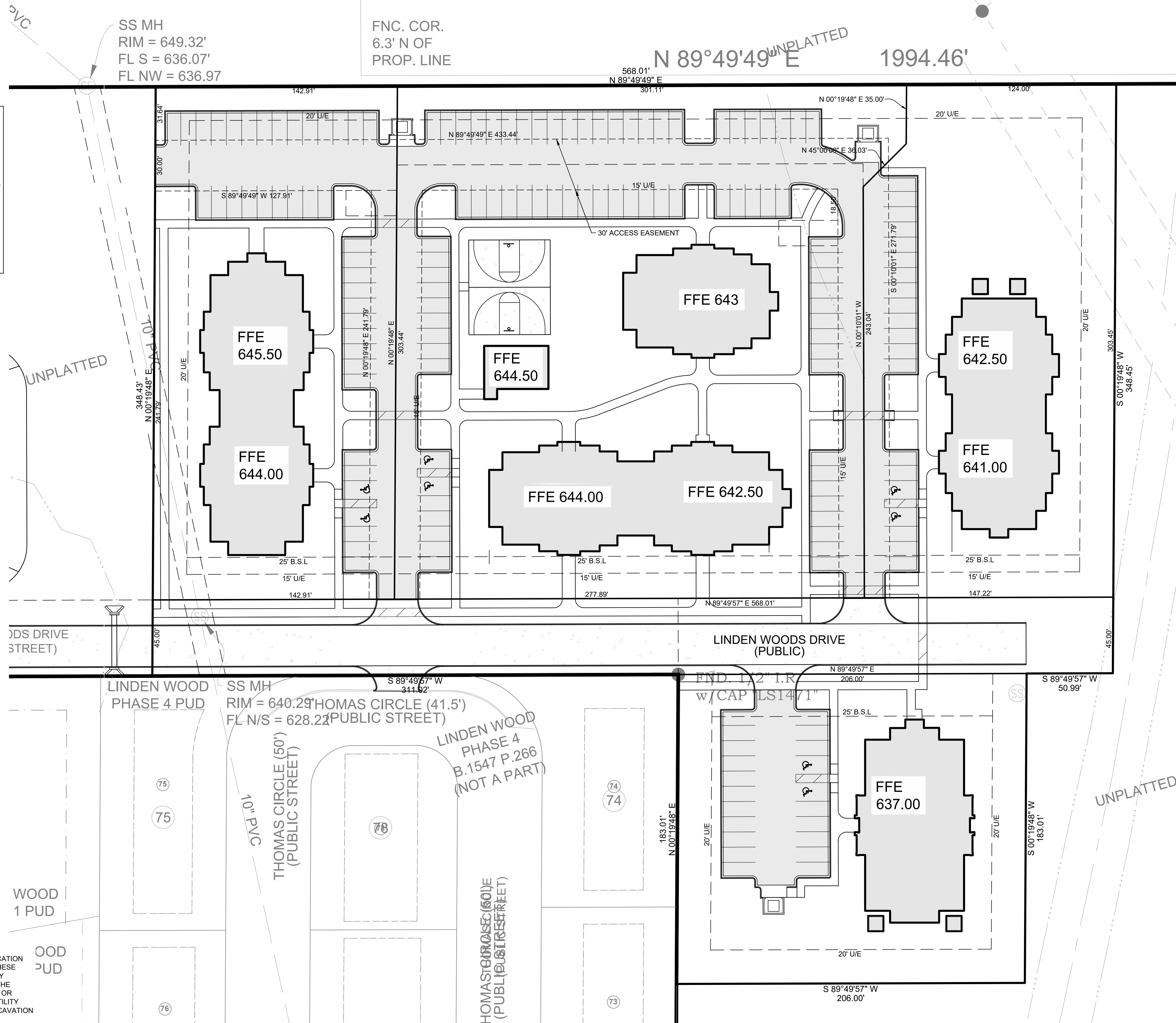
GENERAL SITE NOTES:

1. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL MUNICIPAL REGULATIONS AND CODES, WHICHEVER IS MORE STRINGENT.
2. ALL WORK AND MATERIALS SHALL COMPLY WITH O.S.H.A. STANDARDS.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES' SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
4. REFER TO LANDSCAPE PLANS FOR GRASS, TREES, AND PLANTED MATERIALS.
5. ALL DIMENSIONS AND COORDINATES ARE FROM BACK [FACE] OF CURB UNLESS SHOWN OTHERWISE.
6. RADII = 2'-00" UNLESS OTHERWISE INDICATED.

PARKING TABLE

1-bed/1bath	28	44%
2-bed/2bath	28	44%
4-bed/2bath	8	12%
total units	64	

PARKING: 160 stalls
RATIO: 2.5 stalls / unit



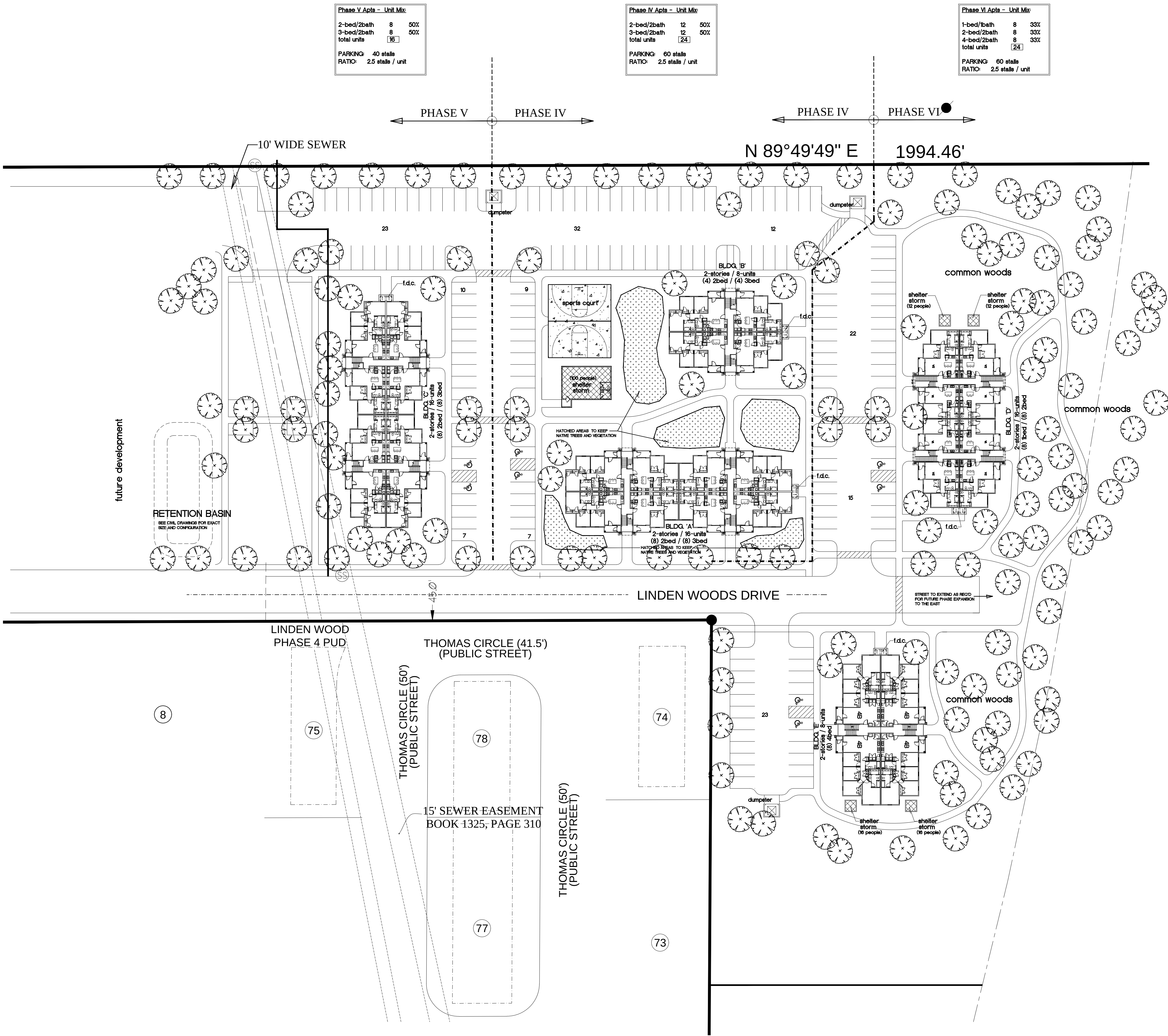
wallace
design
collective

wallace design collective, pc
structural-civil-landscape-survey
410 north walnut ave, suite 200
oklahoma city, oklahoma 73104
405.236.5858
oklahoma ca 1460 exp: 6-30-23

LINDENWOODS PHASE IV & V

N. 1st AVE. AND LINDENWOODS DR.
DURANT, OKLAHOMA

DATE	DESCRIPTION	REV
DATE	03.20.23	
PROJECT NO.	2280092	
SHEET NAME		
SITE PLAN		
SHEET NO.		
C410		



ARCHITECTURAL SITE PLAN

SCALE: 1" = 40'-0"

Phase V Apts - Unit Mix		
2-bed/2bath	8	50%
3-bed/2bath	8	50%
total units	16	
PARKING	40 stalls	
RATIO	2.5 stalls / unit	

Phase IV Apts - Unit Mix		
2-bed/2bath	12	50%
3-bed/2bath	12	50%
total units	24	
PARKING	60 stalls	
RATIO	2.5 stalls / unit	

Phase VI Apts - Unit Mix		
1-bed/1bath	8	33%
2-bed/2bath	8	33%
4-bed/2bath	8	33%
total units	24	
PARKING	60 stalls	
RATIO	2.5 stalls / unit	

PROJECT NUMBER

21-049

SHEET TITLE

ARCHITECTURAL
SITE PLAN

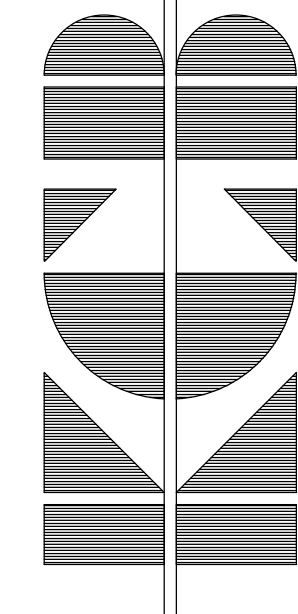
SCALE: 1" = 40'-0"

PROJECT/OWNER

LINDENWOOD APARTMENTS
PHASES IV, V, VI
LINDEN WOODS DRIVE
DURANT, OK
DESERT RIDGE

ARCHITECT

architecture



2033 dan drive
layton, utah 84040
(801) 593-9338
(801) 593-9328 FAX

REVISION

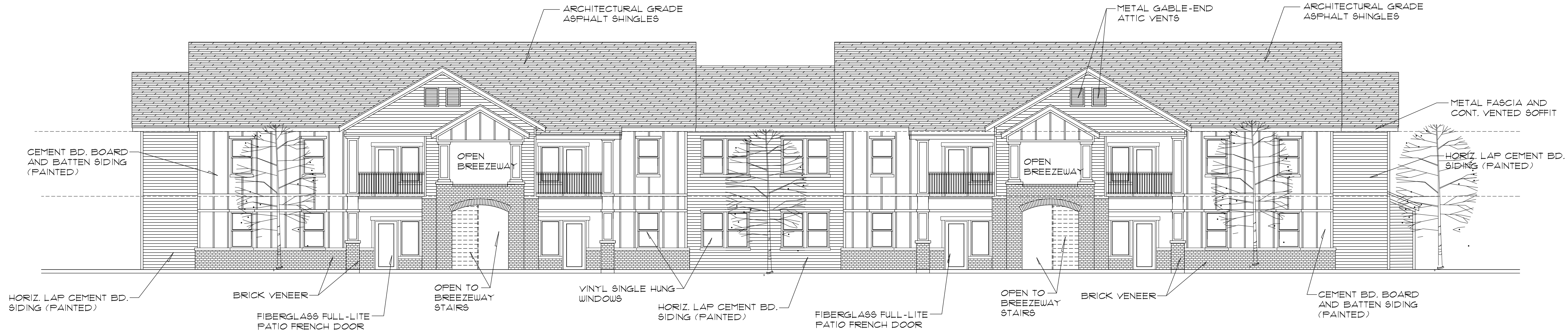
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DATE

16 MAY 2023

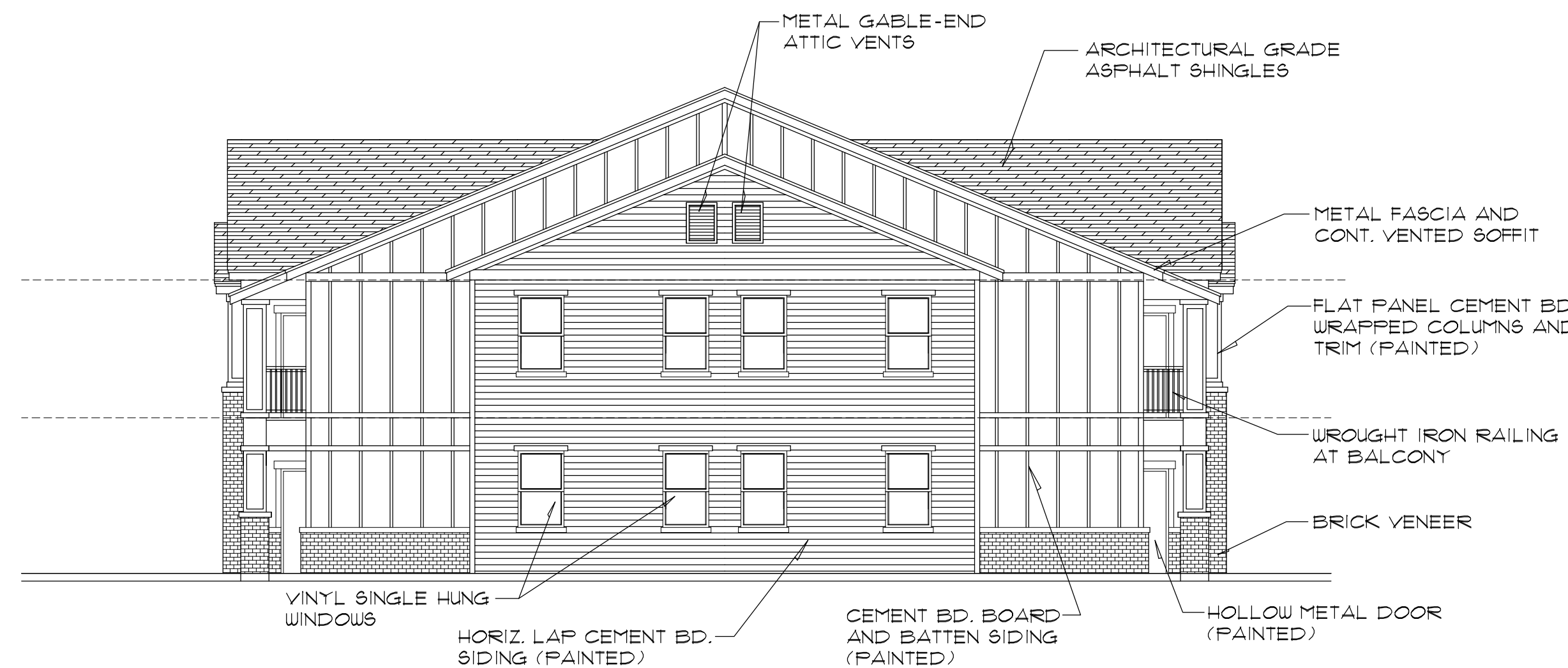
SHEET NUMBER

A1.1



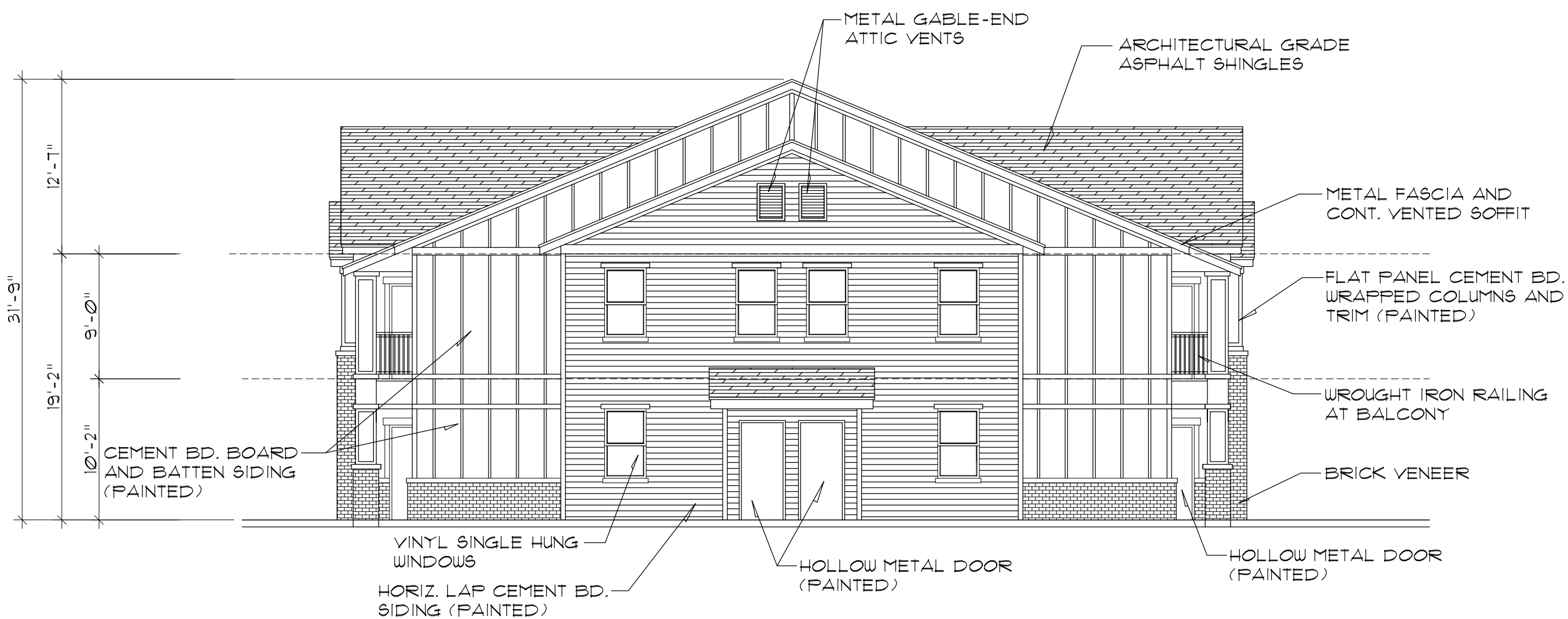
BLDG. 'A' - SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



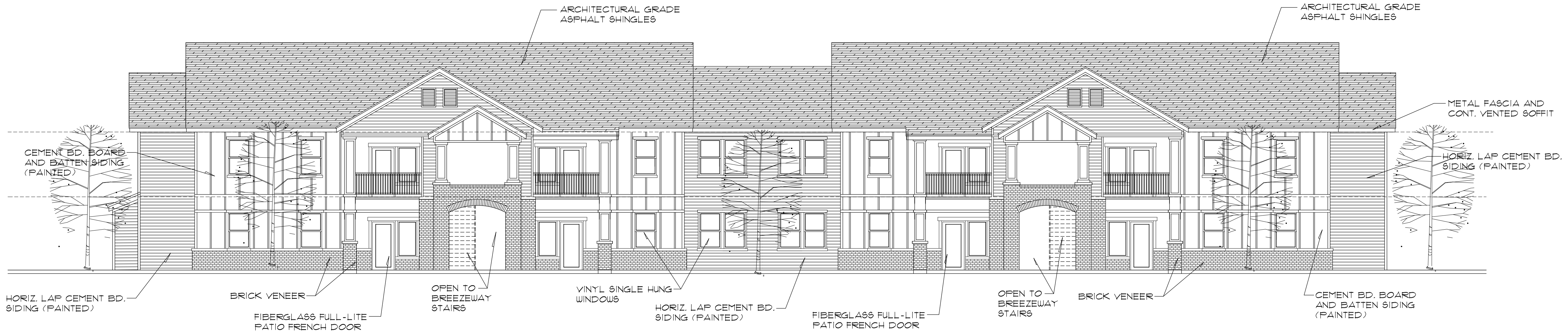
BLDG. 'A' - WEST ELEVATION

SCALE: 1/8" = 1'-0"



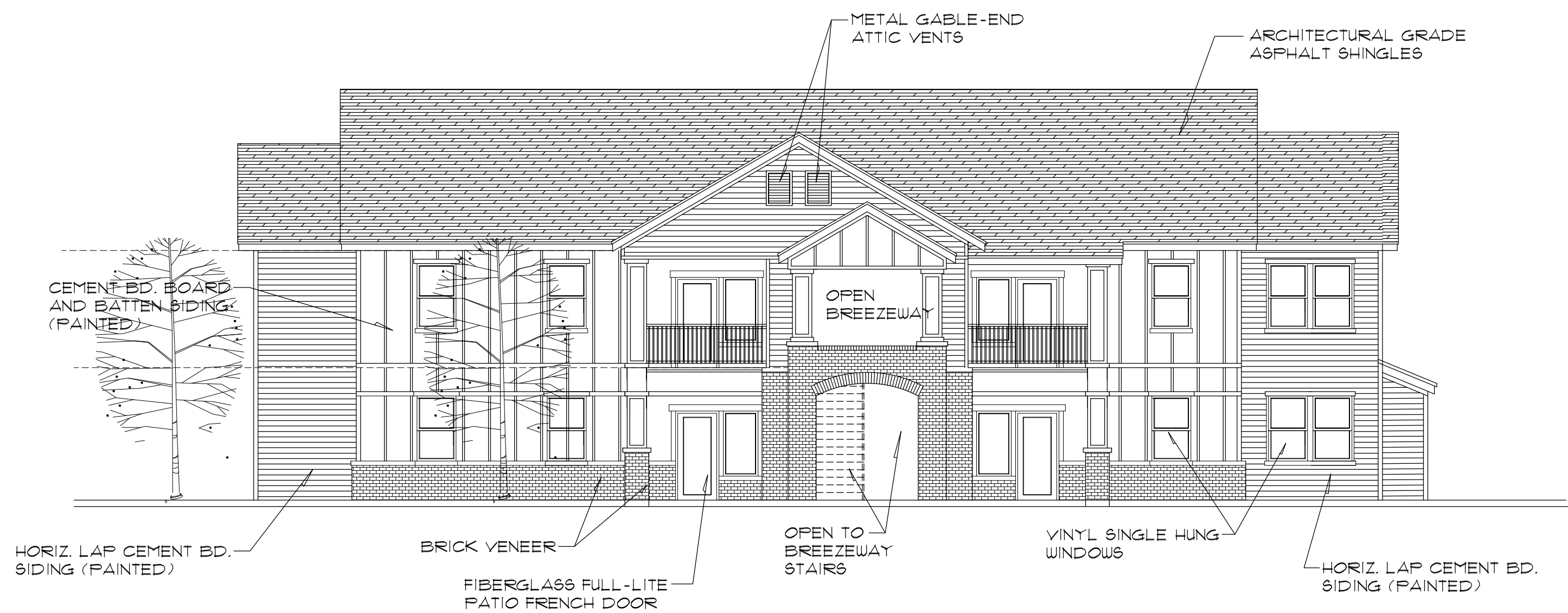
BLDG. 'A' - EAST ELEVATION

SCALE: 1/8" = 1'-0"

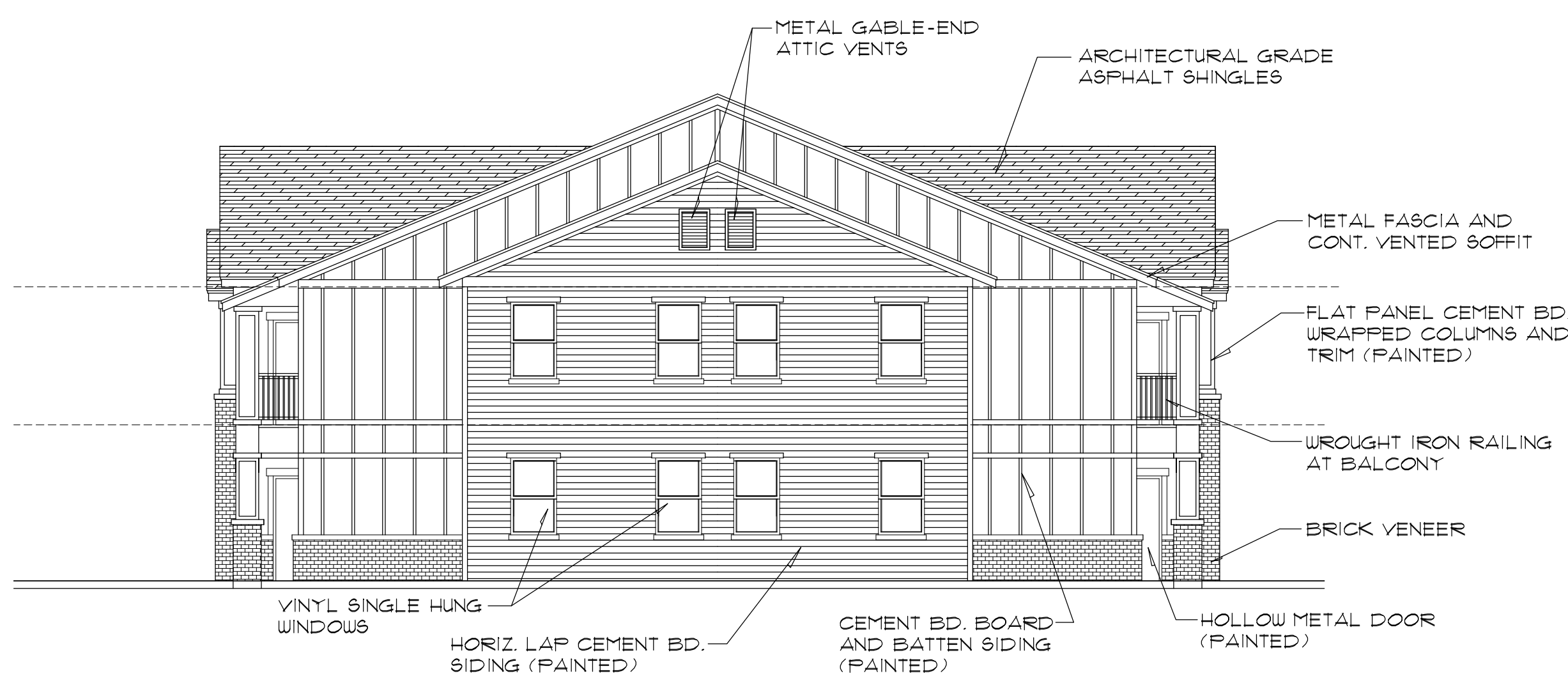


BLDG. 'A' - NORTH ELEVATION

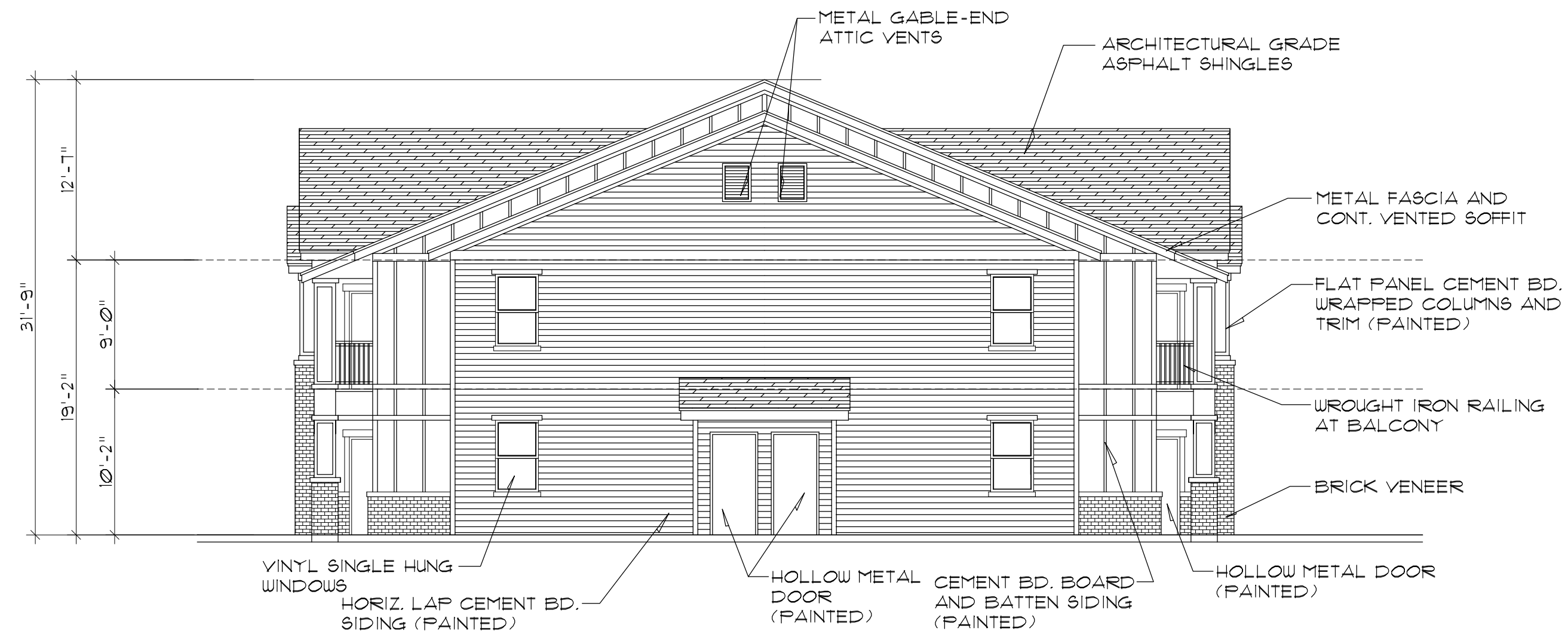
SCALE: 1/8" = 1'-0"



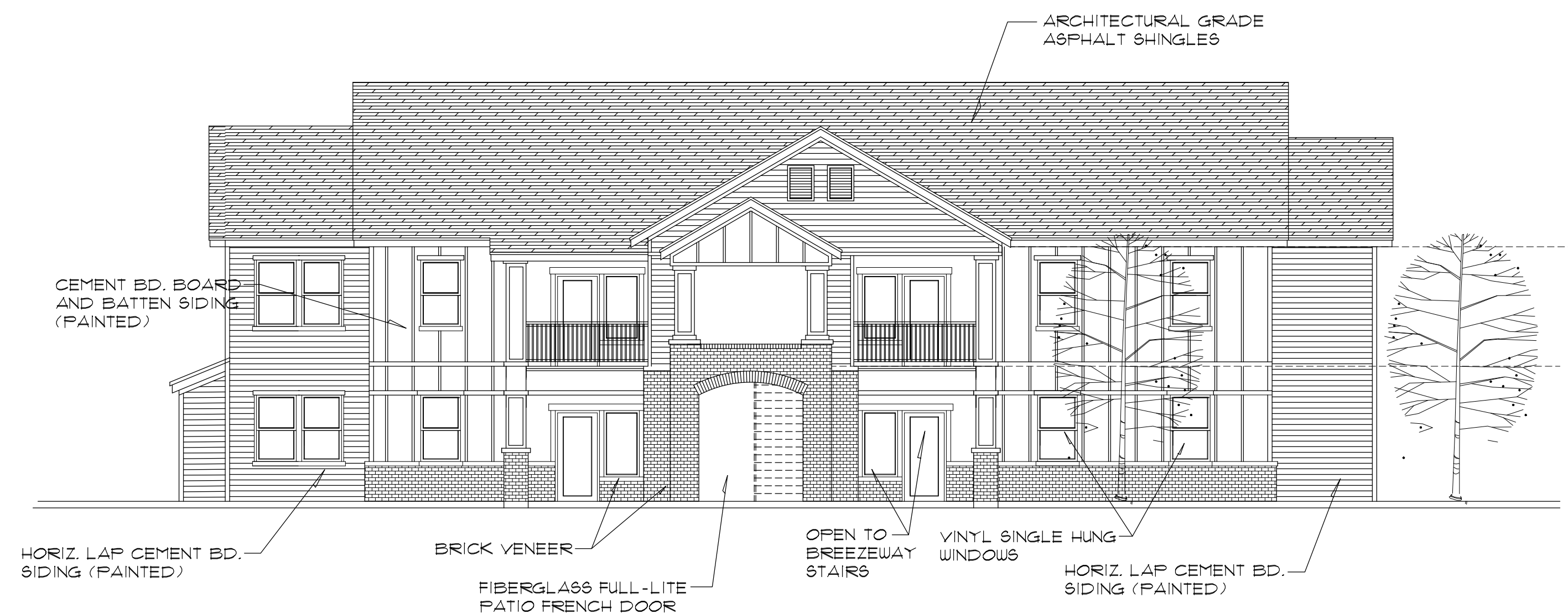
BLDG. 'B' - SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



BLDG. 'B' - WEST ELEVATION
SCALE: 1/8" = 1'-0"



BLDG. 'B' - EAST ELEVATION
SCALE: 1/8" = 1'-0"



BLDG. 'B' - NORTH ELEVATION
SCALE: 1/8" = 1'-0"

PROJECT NUMBER

21-049

SHEET TITLE

BUILDING 'B'
ELEVATIONS
SCALE: 1/8" = 1'-0"

PROJECT/OWNER

LINDENWOODS APTS
PHASE IV
LINEN WOODS DRIVE
DURANT, OK
DESERT RIDGE

ARCHITECT



architecture
2033 dan drive
layton, utah 84040
(801) 593-9338
(801) 593-9328 FAX

REVISION DATE

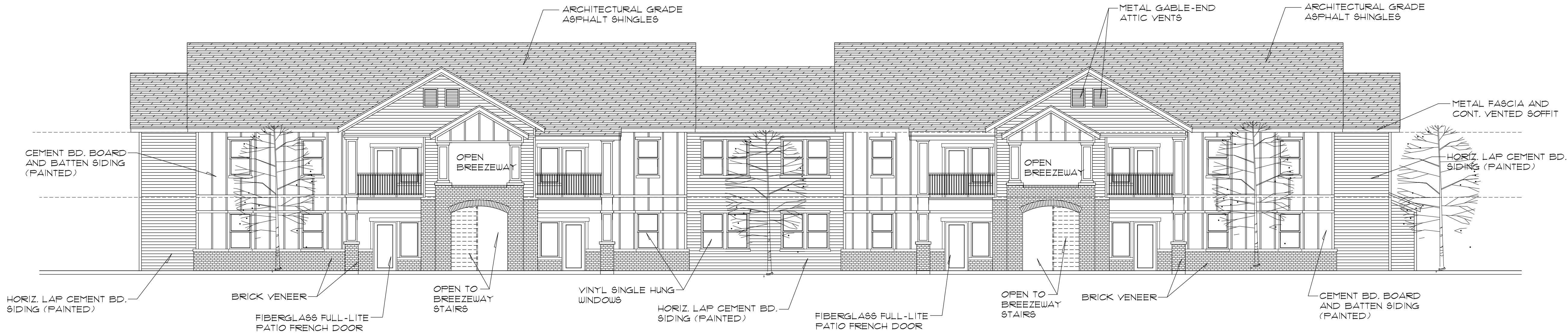
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DATE

15 MAY 2023

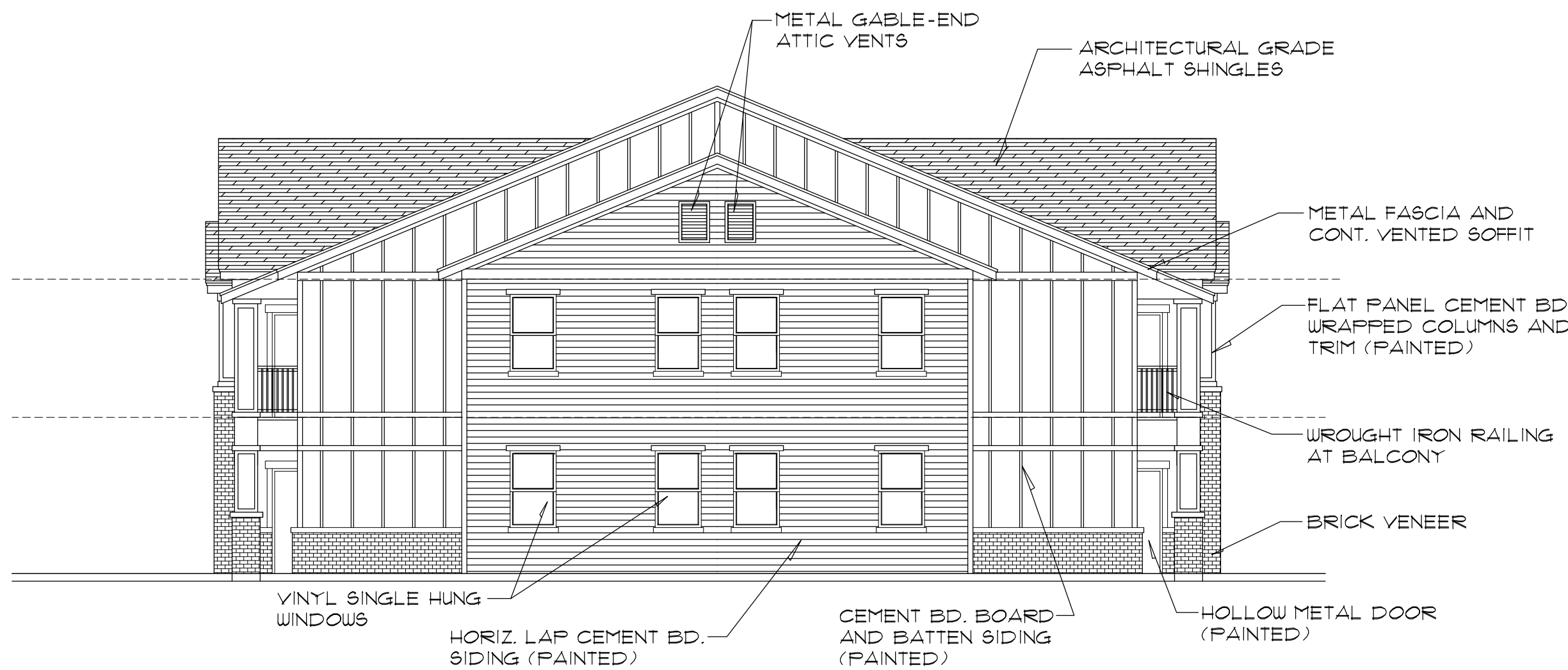
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AB.4



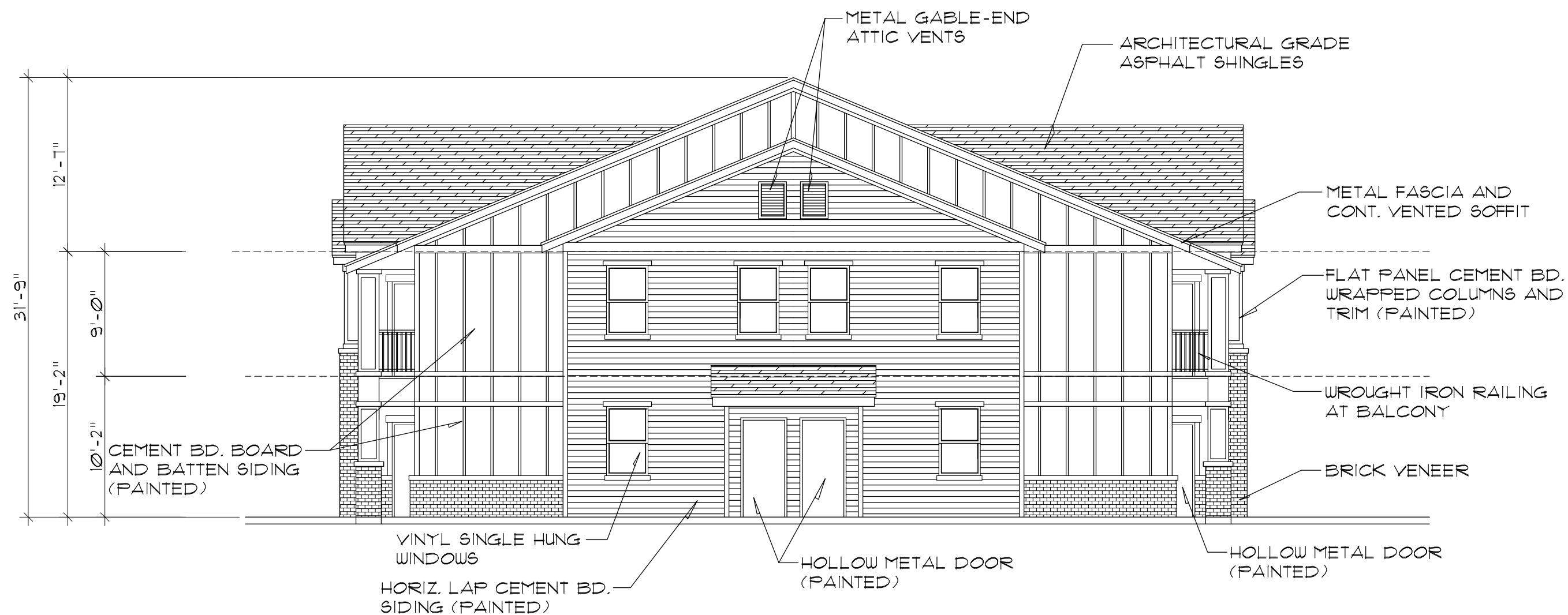
BLDG. 'C' - EAST ELEVATION

SCALE: 1/8" = 1'-0"



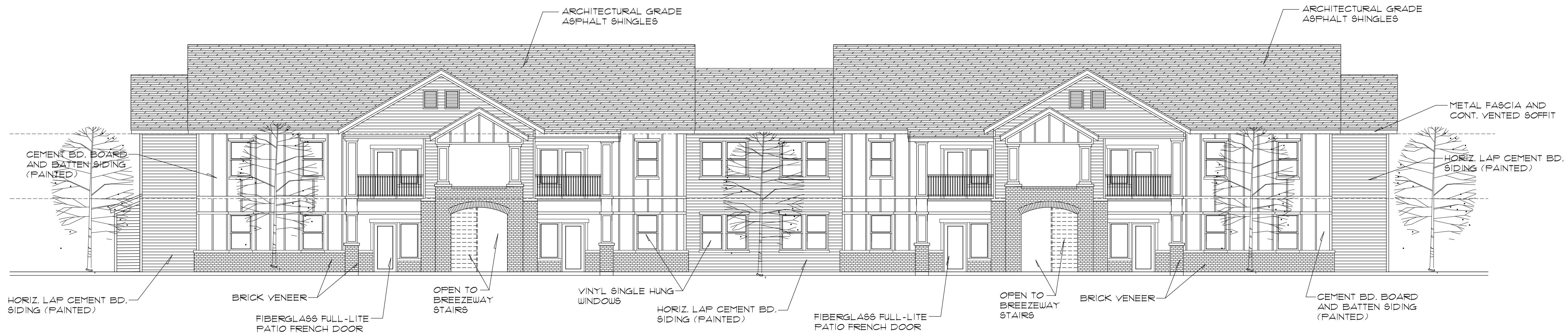
BLDG. 'C' - SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



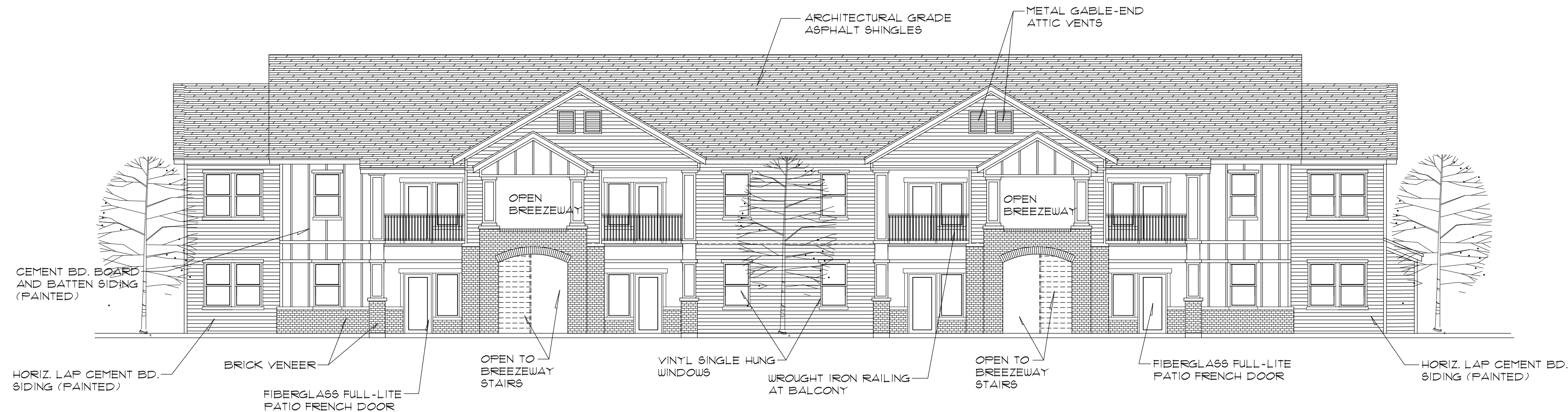
BLDG. 'C' - NORTH ELEVATION

SCALE: 1/8" = 1'-0"



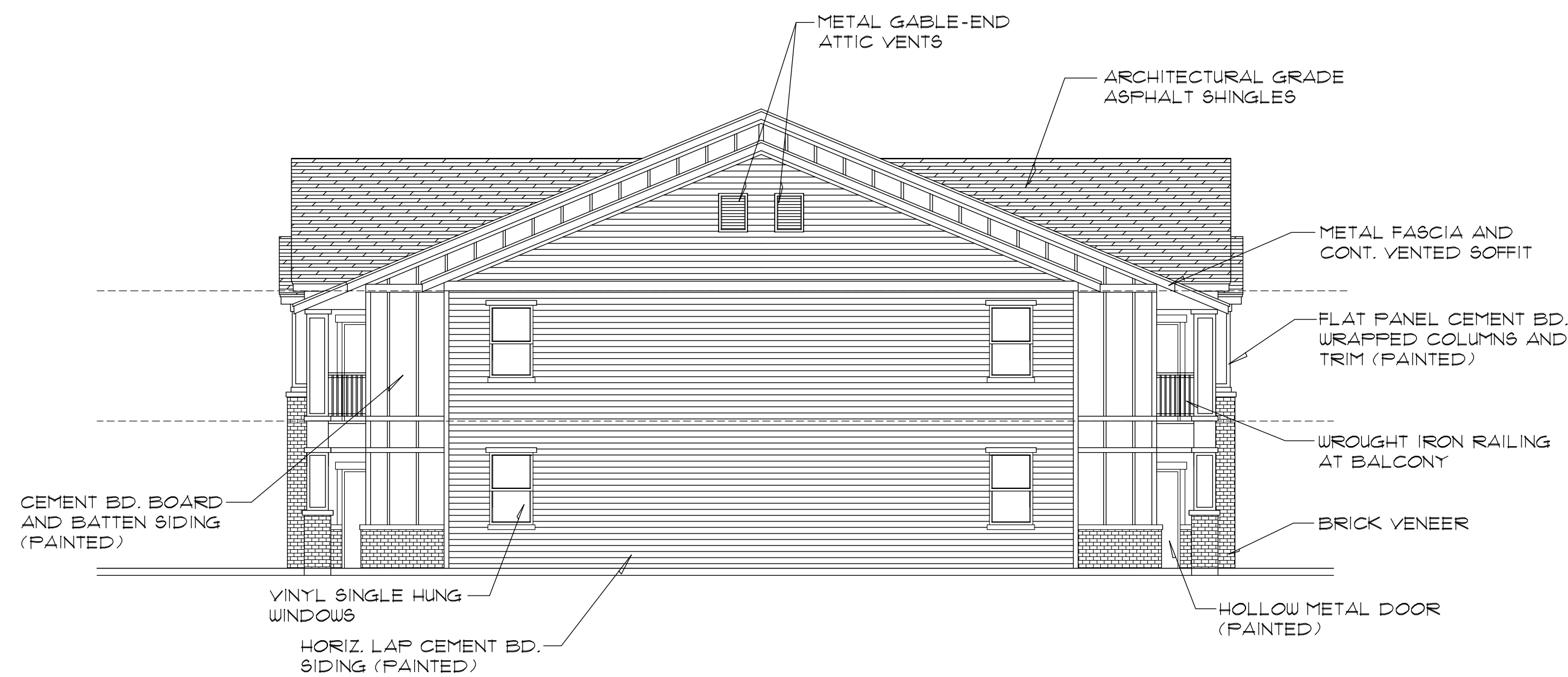
BLDG. 'C' - WEST ELEVATION

SCALE: 1/8" = 1'-0"



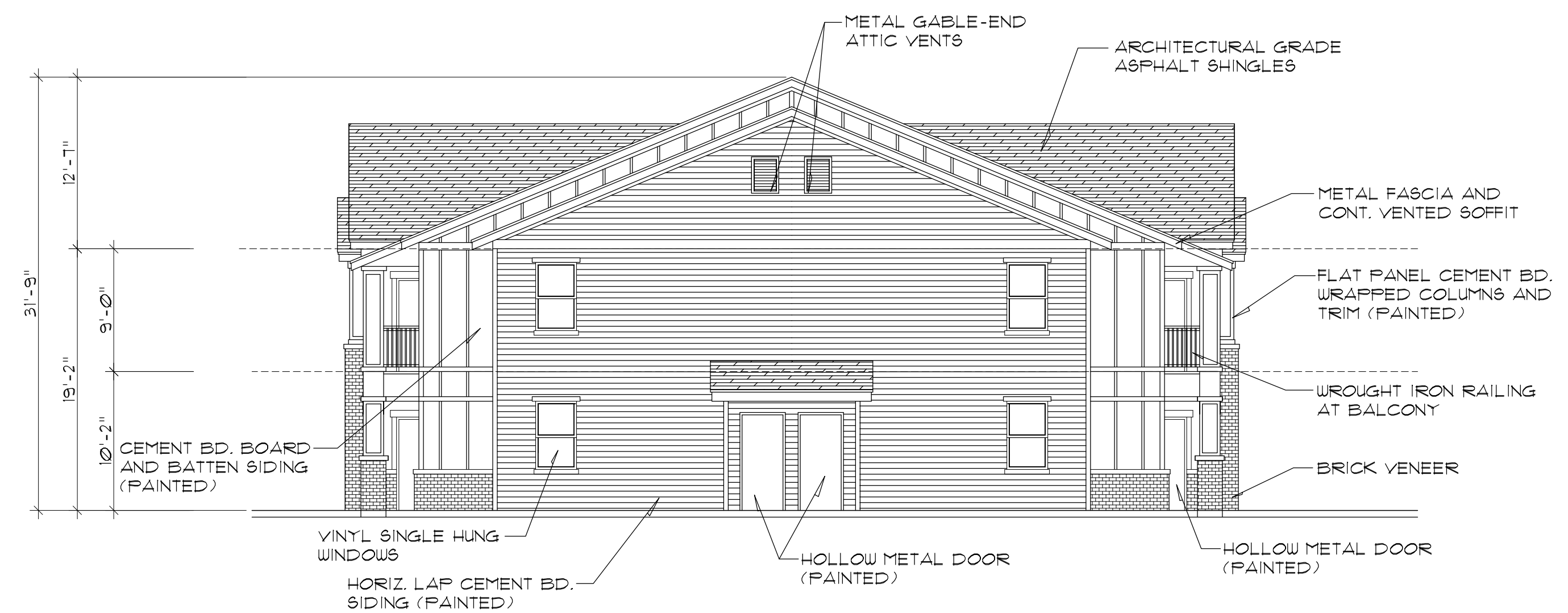
BLDG. 'D' - WEST ELEVATION

SCALE: 1/8" = 1'-0"



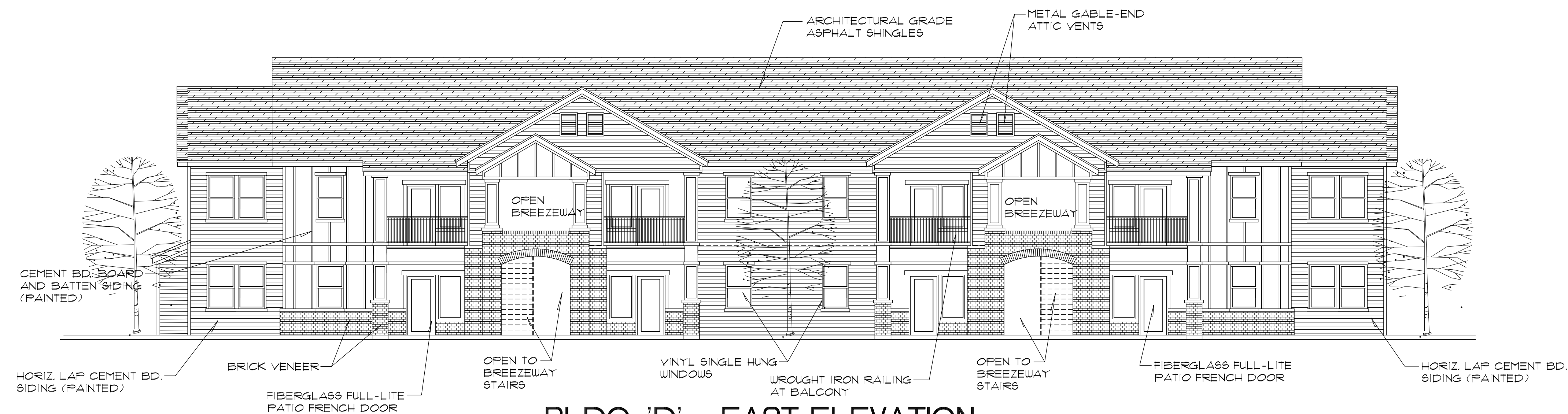
BLDG. 'D' - NORTH ELEVATION

SCALE: 1/8" = 1'-0"



BLDG. 'D' - SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



BLDG. 'D' - EAST ELEVATION

SCALE: 1/8" = 1'-0"

PROJECT NUMBER

21-049

SHEET TITLE

BUILDING 'D'
ELEVATIONS
SCALE: 1/8" = 1'-0"

PROJECT/OWNER

LINDENWOODS APTS
PHASE VI
LINEN WOODS DRIVE
DURANT, OK
DESERT RIDGE

ARCHITECT

architecture
2033 den drive
tulsa, ok 74104
(801) 593-9338
(801) 593-9328 FAX

REVISION DATE

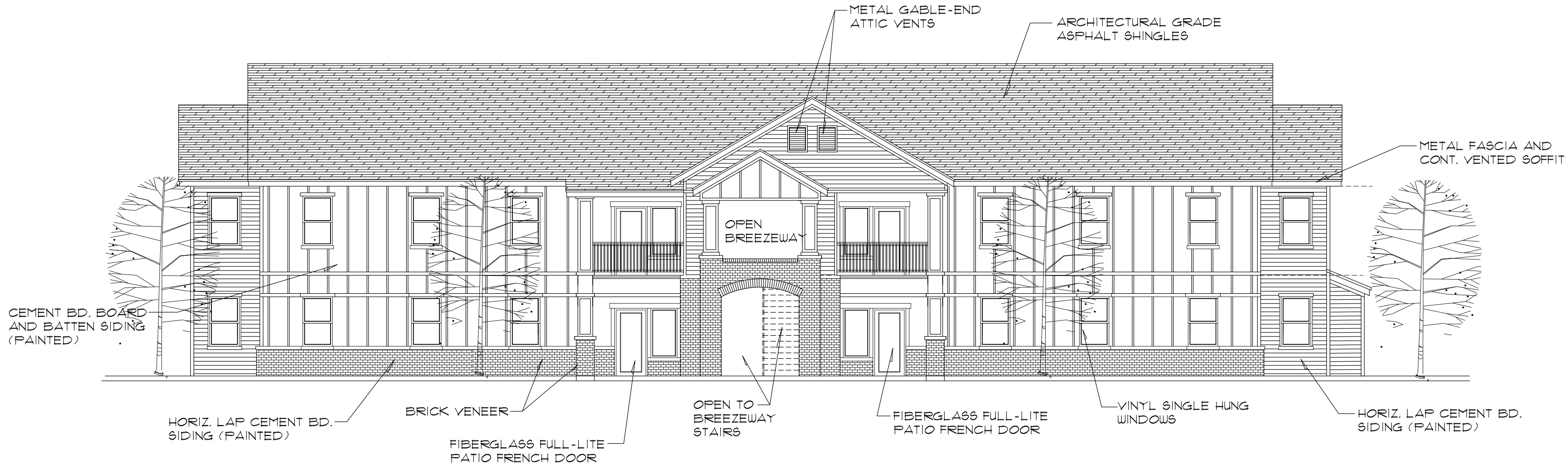
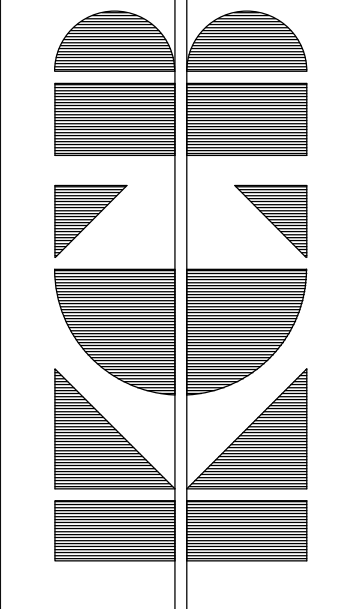
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DATE

15 MAY 2023

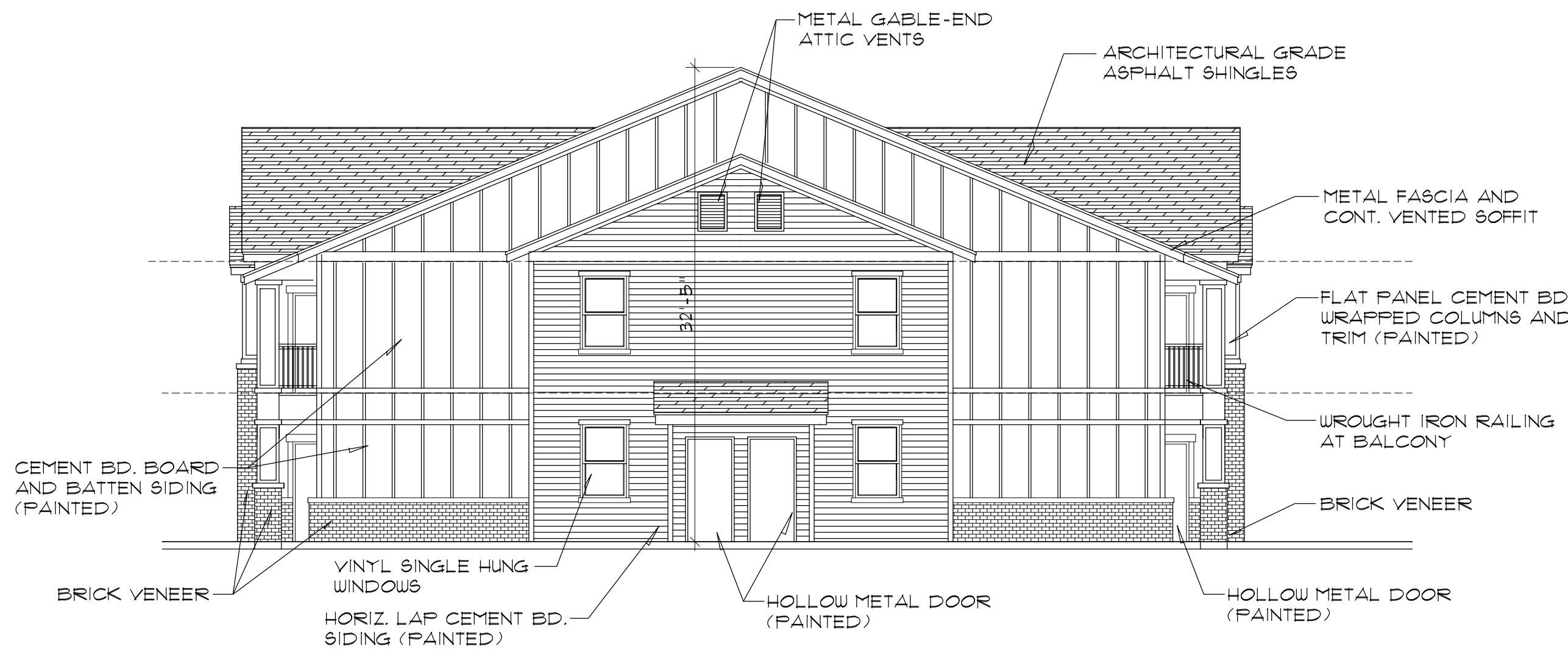
SHEET NUMBER

AD.4



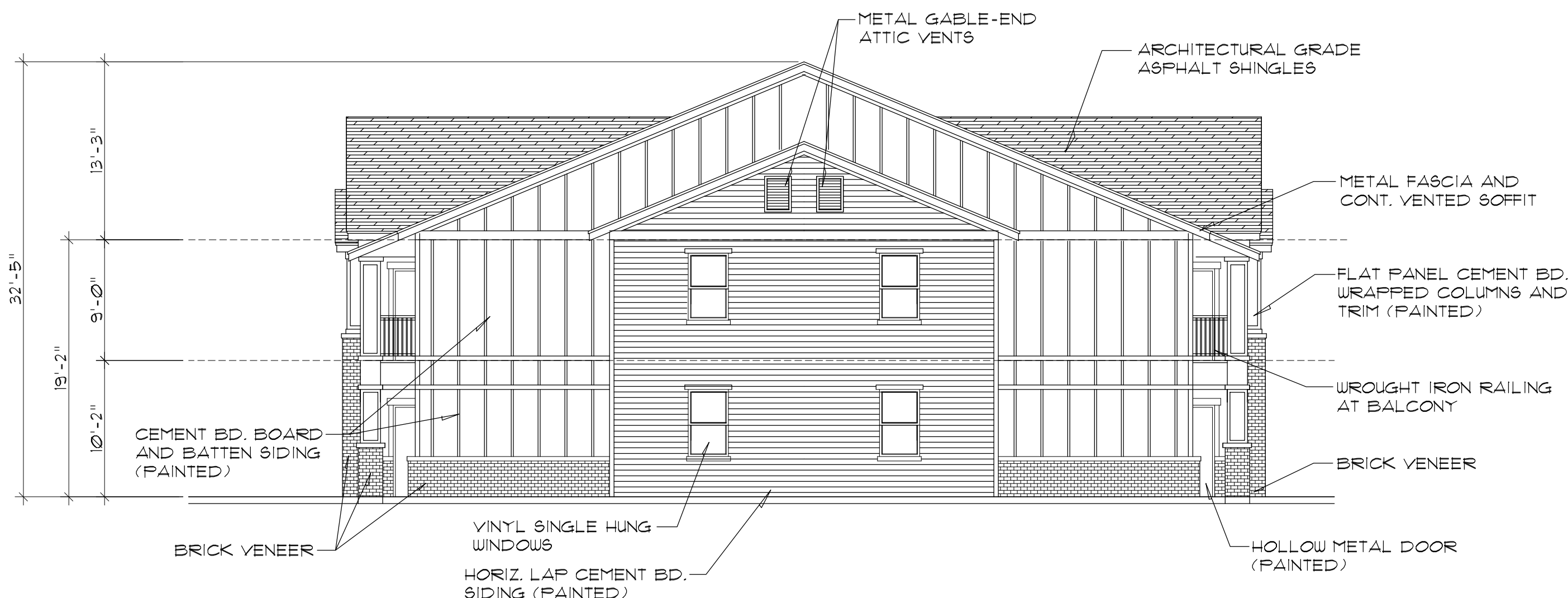
BLDG. 'E' - EAST ELEVATION

SCALE: 1/8" = 1'-0"



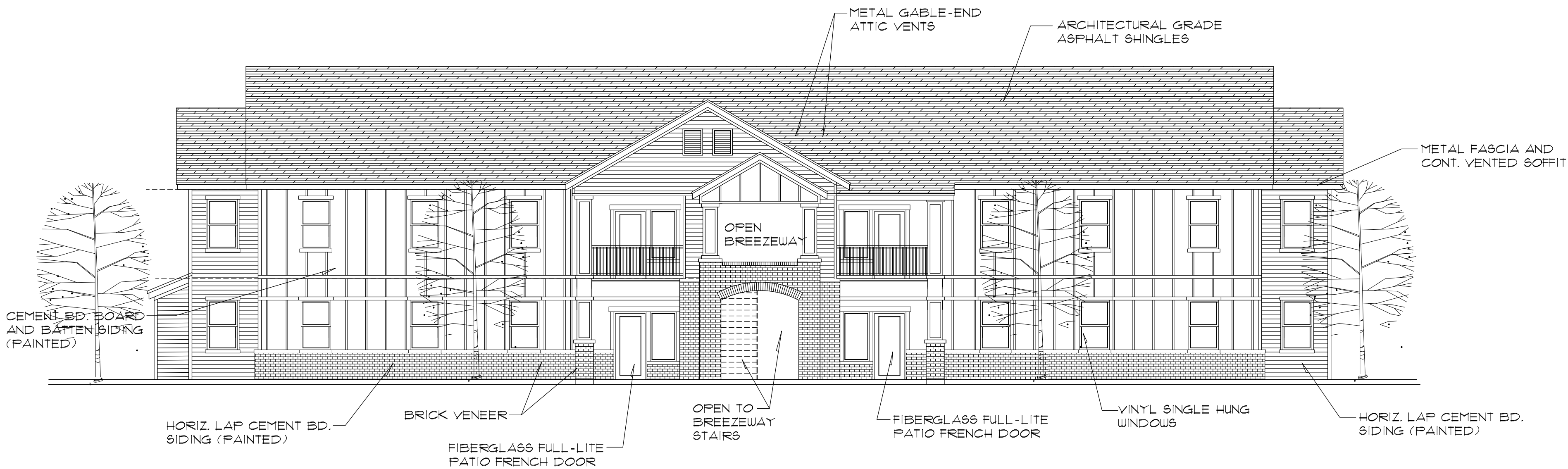
BLDG. 'E' - NORTH ELEVATION

SCALE: 1/8" = 1'-0"



BLDG. 'E' - SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



BLDG. 'E' - WEST ELEVATION

SCALE: 1/8" = 1'-0"

PRELIMINARY PLAT OF
LINDEN WOOD PHASE 5
BEING A PART OF THE SW/4 OF SEC. 21, T.62., R.99., I.M.
BRYAN COUNTY, DURANT, OKLAHOMA

OWNER'S CERTIFICATION AND DEDICATION
KNOW ALL MEN BY THESE PRESENTS:

That I/we, the undersigned, HPH Investors, LP, do hereby certify that we are the owner(s) of and the only person or persons, corporation or corporations having any right, title or interest in the land shown on the annexed plat of LINDEN WOOD PHASE 5, a subdivision of a part of the Southwest Quarter (SW/4) of Section Twenty-one (21), Township Six (6) South, Range Nine (9) East, of the Indian Meridian to the City of Durant, Bryan County, Oklahoma and have caused the said premises to be surveyed and platted into lots, blocks, streets and easements, as shown on said annexed plat, said annexed plat represents a correct survey of all property included therein and is hereby adopted as the plat of land under the name of LINDEN WOOD PHASE 5. That HPH Investors, LP, dedicates all streets and easements shown on said annexed plat to the public for public highways, streets and easements, for themselves, their successors and assigns forever and has caused the same to be released from all rights easement and encumbrances except as shown in the bonded abstractor's certificate.

Signed this ____ day of _____, 2023.

HPH INVESTORS, LP
By: Express Development, Inc; its Manager

HPH INVESTORS, LP
By: Express Development, Inc; its Manager

KRISTINE TIBBETTS - PRESIDENT

STATE OF _____)
COUNTY OF _____) SS

Before me, the undersigned, a Notary Public in and for said County and State, on this ____ day of _____, 2023, personally appeared Kristine Tibbetts, as President for Express Development, LP, the Managing Member of HPH Investors, LP, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that he/she executed the same as his/her free and voluntary act and deed.

My Commission Expires: _____ NOTARY PUBLIC _____

COUNTY TREASURER'S CERTIFICATE

I, _____, hereby certify that I am the duly elected and acting County Treasurer of Bryan County, State of Oklahoma, that the tax records of said county show all taxes paid for the year 2023 and all prior years are paid on the land shown on the annexed plat of LINDEN WOOD PHASE 5, an addition to the City of Durant, Bryan County, Oklahoma, and that the required statutory security has been deposited in the office of the County Treasurer, guaranteeing payment of current years taxes.

IN WITNESS WHEREOF, said County Treasurer has caused this instrument to be executed on this ____ day of _____, 2023.

COUNTY TREASURER

CERTIFICATE OF PLANNING COMMISSION

I, _____, Chairman of the Planning and Zoning Commission of the City of Durant, Bryan County, Oklahoma, certify that the said Commission duly approved the final plat of LINDEN WOOD PHASE 5, to the City of Durant, Bryan County, Oklahoma, this ____ day of _____, 2023.

SECRETARY

ACCEPTANCE OF DEDICATIONS BY CITY COUNCIL

Be it resolved by the City Council of the City of Durant, Oklahoma that the streets, avenues, and easement dedications shown on the annexed plat of LINDEN WOOD PHASE 5 to the City of Durant, Oklahoma are hereby accepted. Adopted by the City Council of the City of Durant, Bryan County, Oklahoma.

Signed by the Mayor of the City of Durant, on this this ____ day of _____, 2023.

ATTEST:
CITY CLERK

MAYOR

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 have been paid in full and that there is no special assessment procedure now pending against the land on the annexed plat of LINDEN WOOD PHASE 5 to the City of Durant, Oklahoma.

Signed by the City Clerk of the City of Durant, on this this ____ day of _____, 2023.

CITY CLERK

LEGAL DESCRIPTION

A tract of land located in the North Half of the Southwest Quarter (N/2 SW/4) of Section Twenty-one (21), Township Six (6) South, Range Nine (9) East, of the Indian Meridian, Bryan County, Oklahoma, being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section Twenty-one (21);

Thence North 00°19'48" East along the west line of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section, a distance of 969.00 feet;

Thence North 89°49'57" East parallel with the south line of the North Half of the Southwest Quarter (N/2 SW/4) of said Section, a distance of 1199.80 feet to the POINT OF BEGINNING;

Thence North 00°19'48" East parallel with the west line of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section, a distance of 348.43 feet to the North line of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section;

Thence North 89°49'49" East along the north line of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section, a distance of 568.01 feet;

Thence South 00°19'48" West parallel with the west line of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section, a distance of 348.45 feet;

Thence South 89°49'57" West parallel with the south line of the North Half of the Southwest Quarter (N/2 SW/4) of said Section, a distance of 50.99 feet

Thence South 00°19'48" West parallel with the west line of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section, a distance of 183.01 feet;

Thence South 89°49'57" West parallel with the south line of the North Half of the Southwest Quarter (N/2 SW/4) of said Section, a distance of 206.00 feet to the east line of LINDEN WOOD - PHASE 4, recorded at Book 1547 Page 266 at the Office of the Bryan County Clerk;

Thence North 00°19'48" East along the east line of said LINDEN WOOD - PHASE 4, a distance of 183.01 feet to the Northeast corner of said LINDEN WOOD - PHASE 4;

Thence South 89°49'57" West along the north line of said LINDEN WOOD - PHASE 4, a distance of 306.02 feet to the POINT OF BEGINNING.

Containing 235,610 square feet, or 5.409 acres, more or less.

LICENSED LAND SURVEYOR

I, _____, do hereby certify that I am a Professional Land Surveyor in the State of Oklahoma, and that the Final Plat of LINDEN WOOD PHASE 5 an addition to the City of Durant, Bryan County, Oklahoma, consisting of two (2) sheets, represents a survey made under my supervision on this ____ day of _____, 2023, and that monuments shown thereon actually exist and their positions are correctly shown, that this Survey meets the Oklahoma Minimum Standards for the Practice of Land Surveyors as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors, and that said Final Plat complies with the requirements of Title 11 Section 41-108 of the Oklahoma State Statutes.

LICENSED LAND SURVEYOR

STATE OF _____)
COUNTY OF _____) SS

Before me, the undersigned, a Notary Public in and for said County and State, on this ____ day of _____, 2023, personally appeared _____, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he/she executed the same as his/her free and voluntary act and deed.

My Commission Expires: _____ NOTARY PUBLIC _____

BONDED ABTRACTOR'S CERTIFICATE

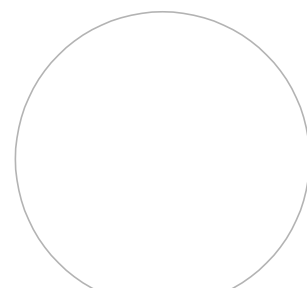
The undersigned, duly qualified abstractor in and for said County and State, hereby certifies that according to the records of said County, title to the land shown on the annexed plat of LINDEN WOOD PHASE 5 a subdivision of a part of the Southwest Quarter (SW/4) of Section Twenty-one (21), Township Six (6) South, Range Nine (9) East, of the Indian Meridian to the City of Durant, Bryan County, Oklahoma appears to be vested in HPH Investors, LP, on this ____ day of _____ 2023, unencumbered by pending actions, judgements, liens, taxes or other encumbrances except minerals previously conveyed and mortgages of record.

Executed this ____ day of _____, 2023.

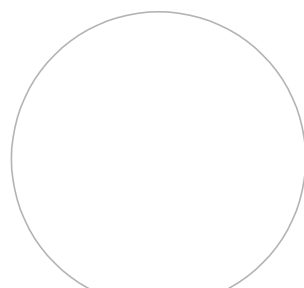
PRESIDENT



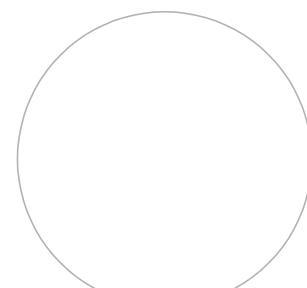
wallace design collective, pc
structural - civil - landscape - survey
410 north walnut avenue, suite 200
oklahoma city, oklahoma 73104
405.226.5858 - 800.364.5858
wallace.design
ok aa 1460 exp 06.30.23



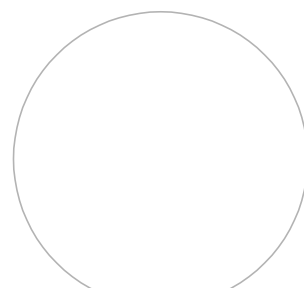
OWNERS' NOTARY



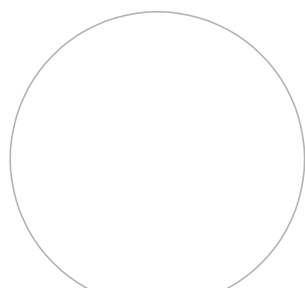
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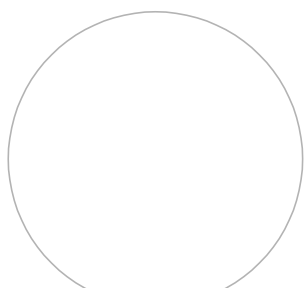
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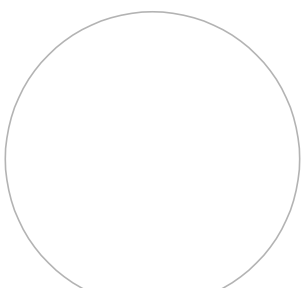
COUNTY TREASURER



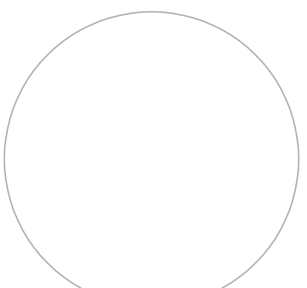
CITY DEV. COMM.



CITY CLERK



SURVEYOR



SURVEYOR'S NOTARY

PRELIMINARY
FOR REVIEW ONLY

PRELIMINARY PLAT OF
LINDEN WOOD PHASE 5
BEING A PART OF THE SW/4 OF SEC. 21, T.62., R.99., I.M.
BRYAN COUNTY, DURANT, OKLAHOMA

LEGAL DESCRIPTION

A tract of land located in the North Half of the Southwest Quarter (N/2 SW/4) of Section Twenty-one (21), Township Six (6) South, Range Nine (9) East, of the Indian Meridian, Bryan County, Oklahoma, being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section Twenty-one (21);

Thence North 00°19'48" East along the west line of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section, a distance of 969.00 feet;

Thence North 89°49'57" East parallel with the south line of the North Half of the Southwest Quarter (N/2 SW/4) of said Section, a distance of 1199.80 feet to the POINT OF BEGINNING;

Thence North 00°19'48" East parallel with the west line of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section, a distance of 348.43 feet to the North line of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section;

Thence North 89°49'49" East along the north line of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section, a distance of 568.01 feet;

Thence South 00°19'48" West parallel with the west line of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section, a distance of 348.45 feet;

Thence South 89°49'57" West parallel with the south line of the North Half of the Southwest Quarter (N/2 SW/4) of said Section, a distance of 50.99 feet

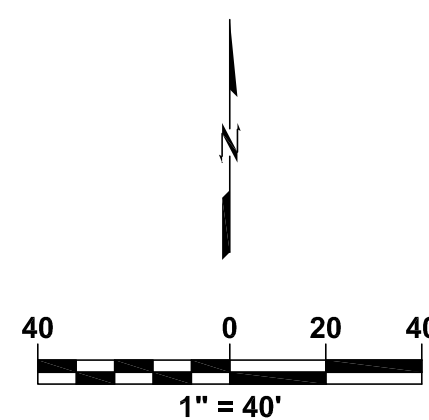
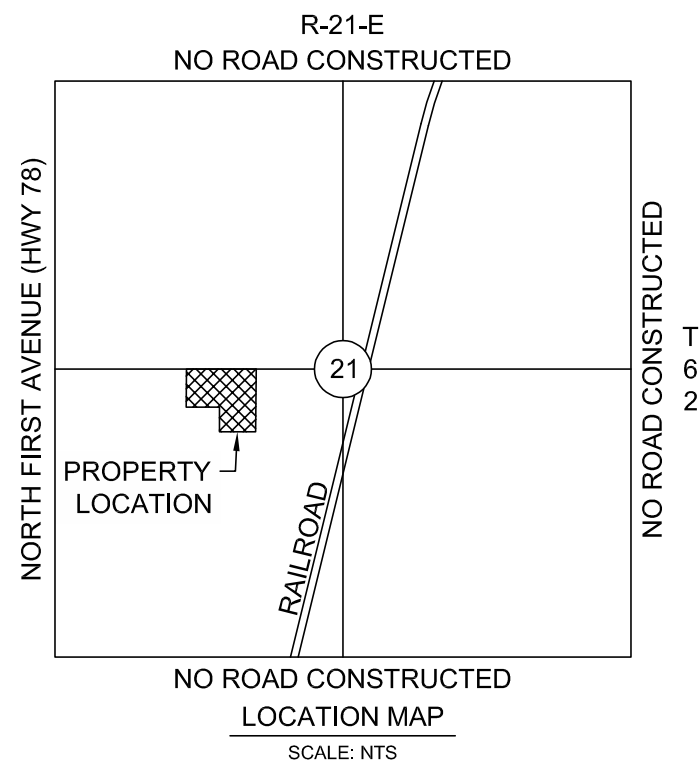
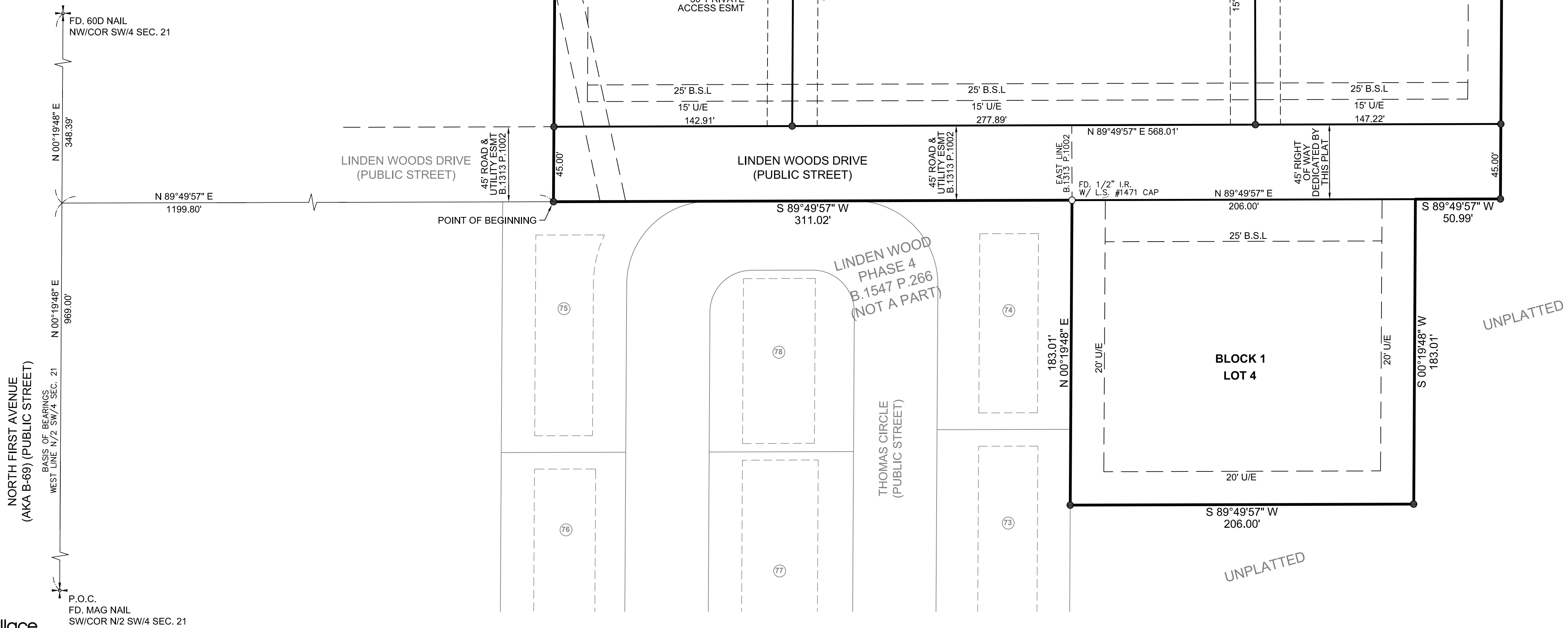
Thence South 00°19'48" West parallel with the west line of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section, a distance of 183.01 feet;

Thence South 89°49'57" West parallel with the south line of the North Half of the Southwest Quarter (N/2 SW/4) of said Section, a distance of 206.00 feet to the east line of LINDEN WOOD - PHASE 4, recorded at Book 1547 Page 266 at the Office of the Bryan County Clerk;

Thence North 00°19'48" East along the east line of said LINDEN WOOD - PHASE 4, a distance of 183.01 feet to the Northeast corner of said LINDEN WOOD - PHASE 4;

Thence South 89°49'57" West along the north line of said LINDEN WOOD - PHASE 4,
a distance of 306.02 feet to the POINT OF BEGINNING.

Containing 235,610 square feet, or 5.409 acres, more or less.



LEGEND

B.	BOOK
B.S.L.	BUILDING SETBACK LINE
ESMT	EASEMENT
P.	PAGE
R/W	RIGHT OF WAY
(R)	DEED (RECORD) DATA
(M)	FIELD(MEASURED) DATA
U/E	UTILITY EASEMENT
N.A.P.	NOT A PART
	SECTION CORNER
	FOUND MONUMENT AS DESCRIBED
●	SET 1/2" REBAR W/ C.A. 5975 CAP

FLOOD ZONE

Subject property fully lies within Flood Zone X, Areas determined to be outside the 0.2% annual chance floodplain, per FEMA Map Number 40013C0190E, with a revised date of June 2, 2011.

PRELIMINARY
FOR REVIEW ONLY

PLANNED DEVELOPMENTS

§ 156.090 PUD PURPOSES.

(A) The purposes of Planned Unit Development are:

(1) To permit flexibility that will encourage a more creative approach in the development of land and will result in a more efficient use of open area or will facilitate orderly land use transitions, while maintaining density and area coverage permitted in the general zoning district or districts in which the project is located; and

(2) To permit flexibility in design, placement of buildings, and use of open spaces, circulation facilities, and off-street parking areas, and to best utilize the potential of sites characterized by special features of geography, topography, parcel size, or shape or proximity to sensitive land use areas.

(B) It is the intent of this section to provide for a change in the size of tracts in which a Planned Unit Development is permitted.

(1) Eligible properties must normally be two acres or larger in size (gross acreage).

(2) Slightly smaller parcels, between one and two acres, may be eligible, provided the applicant can show that the proposed Planned Unit Development can meet the intent and regulation of this subchapter without injury to the public health safety and welfare.

(C) In every instance, the PUD is to be reviewed as to the proposed location and character of the uses and the treatment of the development of the tract. The regulations of the general zoning district or districts remain applicable except as specifically modified pursuant to the provisions of this section. No modification of use or bulk and area requirements of the applicable general use district or districts shall be permitted unless a subdivision plat or replat incorporating the provisions and requirements of this section is submitted to and approved by the Planning Commission and the City Council and filed of record in the office of the County Clerk.

(Prior Code, § 157.070) (Ord. 1040, passed 4-12-1983; Ord. 1454, passed 11-9-2004)

§ 156.091 USES PERMITTED IN PUDS.

The primary uses in a Planned Unit Development shall be those permitted in the zoning districts involved or those uses permitted in more restrictive zoning districts (for example, in a commercial district, a Planned Unit Development could be dominated by shopping facilities or apartments, but in a multi-family residential district, the predominate land use would have to be housing). In predominantly residential PUDs, certain other principal uses, other than dwellings, which are permitted by right or exception in the residential districts may be included within a PUD, if such uses do not occupy more than 10% of the gross area of the PUD and are designed and located to be compatible with the residential uses of the PUD and with the residential use of adjacent properties. It is intended that the PUD provisions may be used as an alternative approach in the processing of all types of developments.

(Prior Code, § 157.071) (Ord. 1040, passed 4-12-1983)

§ 156.092 PUD ACCESSORY USES.

(A) Accessory uses customarily incident to the principal uses included within the PUD are permitted. Accessory signs shall comply with the provisions of the zoning districts, except as hereafter provided for accessory commercial uses.

(B) Within a PUD in a residential district, accessory commercial facilities may be included in accordance with the following provisions.

(1) In considering commercial uses as a part of a Planned Unit Development in a residential district, the Planning Commission shall consider:

(a) The relationship of the proposed commercial use to:

1. The land parcel (both as to boundary shape and topographic and other physical features);
2. The land and land uses outside the proposed development; and
3. The arrangement of the other portions of the proposed development.

(b) The nature of the commercial use included in the proposal.

(2) In developments proposing more than one business, the aggregate floor area of the commercial facilities shall not exceed 50 square feet per dwelling unit nor a total of 30,000 square feet.

(3) Each commercial establishment shall be limited to a maximum of 3,500 square feet of floor area.

(4) Commercial signs shall be limited to one nameplate or not more than 16 square feet for each establishment. Nameplates shall be attached flat against a building wall and shall not be animated, flashing, or have other than indirect illumination. Window signs shall not be permitted.

(5) The commercial area shall be designed primarily for the service, convenience, and benefit of the residents of the PUD. The Planning Commission may permit a commercial establishment designed to serve patrons both inside and outside

the development if it is determined that a land use problem is not likely upon consideration of the items listed in division (B) (1)(a) above.

(Prior Code, § 157.072) (Ord. 1040, passed 4-12-1983)

§ 156.093 PUD AREA REQUIREMENTS.

The space required in a Planned Unit Development project, including lot area, area per unit, and percent of lot coverage, exclusive of the area of public or private streets, shall meet the requirements of the districts wherein the project is located (as set out in § 156.022 of this chapter); provided, however, that upon a finding that the PUD proposal is so designed as to provide the best use of the land with, at the same time, a good and full protection of the public welfare and the general intent and spirit of the Comprehensive Plan and the zoning ordinance, the Planning Commission may award an increase in the density of development not to exceed 10% of that otherwise allowable in the districts in which the PUD is located. If the project area falls in two or more zoning districts, the space requirements of the project shall be established by calculating the requirements of the various districts as applied to the amount of area in each district. In a Planned Unit Development, all area used for development purposes, including recreating areas, open space areas, parking lots, and similar space may be counted as part of the aggregate development area for computation of space requirements. The area of Planned Unit Development shall be considered as one parcel regardless of the extent to which the area may be divided by interior streets or other features.

(Prior Code, § 157.073) (Ord. 1040, passed 4-12-1983)

§ 156.094 PUD HEIGHT REQUIREMENTS.

The height of buildings shall not be more than one and one-half times the distance between the building line and the edge of pavement of the nearest street. The building measurement shall be from the ground floor level to the eave or top of the vertical wall should there be no eave. The Planning Commission upon review of plans for a Planned Unit Development may approve buildings of greater height than otherwise permitted in the zoning district.

(Prior Code, § 157.074) (Ord. 1040, passed 4-12-1983)

§ 156.095 PUD PERIMETER REQUIREMENTS.

The building setback from the exterior boundaries of the PUD shall not be less than the minimum yards customarily required for the district or districts in which located; provided that within 200 feet of any abutting property in a residential district, structures exceeding ten feet in height measured from the ground floor to the eave or top of vertical wall if there is no eave shall conform to the setback requirements of the zoning district, plus two feet of setback for each one-foot of building height exceeding ten feet measured from the ground floor level to the eave or top of vertical wall if there is no eave. An unenclosed off-street parking area, containing five or more spaces, shall be screened from adjoining areas in a residential district by the erection of a screening wall, fence, or hedge of acceptable design along the lot line or lines in common with the residential district, provided that if the parking area is located more than 50 feet from the residential district, the Planning Commission may waive screening requirements.

(Prior Code, § 157.075) (Ord. 1040, passed 4-12-1983)

§ 156.096 PUD OFF-STREET PARKING AND LOADING.

Off-street parking and loading spaces shall be provided as specified for the applicable use. The Planning Commission may consider designs providing for reasonable sharing of parking spaces by land uses which have inherently compatible time demands for parking. Required spaces may be provided on the lot containing the units for which it is intended to serve or in common areas. A common parking area shall be designed and located so as to be accessible to the units it is intended to serve. Provisions for the ownership and maintenance of a common parking space as will ensure its continuity and conservation shall be incorporated in the subdivision plat.

(Prior Code, § 157.076) (Ord. 1040, passed 4-12-1983)

§ 156.097 ADMINISTRATION OF PUD.

(A) Procedural steps include:

- (1) Outline development plan;
- (2) Supplemental designation PUD; and
- (3) Subdivision plat.

(B) The following may apply for PUD.

(1) Any person, corporation, partnership, association, or combination thereof owning or possessing a property right or interest in or to a tract of not less than five acres in size may make application for the approval of an outline development plan as provided in divisions (B)(2) and (B)(3) below.

(2) Any person, corporation, partnership, association, or combination thereof owning or possessing a property right or interest in or to a tract of not less than one acre in size may make application for the supplemental district designation PUD. Such application shall be accompanied by an outline development plan processed in the manner set forth in this division (B)

(2) and divisions (C)(3) and (C)(4) below.

(3) In areas of existing development, any person, corporation, partnership, association, or combination thereof may propose the redevelopment or reuse of land through the processing of a PUD application. Due to the previous division of land areas in already developed areas, the Planning Commission shall determine if a proposed site is suitable for development as a PUD. The Planning Commission and City Council may place the supplemental designation PUD upon locations through the established zoning amendment process.

(C) An application for a Planned Unit Development shall be filed with the Planning Commission. The application shall be accompanied by the payment of a fee equal to that for rezoning applications which shall include advertising and sign costs. The application shall be in such form and content as the Planning Commission may by resolution establish, provided that three copies of an outline development plan shall accompany the filing of the application. The outline development plan shall consist of maps or text which contain:

- (1) Existing topographic character of the land and any topographic changes which are proposed;
- (2) Proposed land uses, including public uses and open space and the approximate location of buildings and other structures;
- (3) The character and approximate density of development. Density shall be expressed in numbers of dwelling units and quantitative areas of each identifiable segment of the development;
- (4) The approximate location of thoroughfares;
- (5) Sufficient surrounding area to demonstrate the relationship of the development to adjoining uses, both existing and proposed;
- (6) An explanation of the character of the planned development; and
- (7) The expected schedule of development.

(D) (1) The Planning Commission, upon the filing of an application for the supplemental district designation PUD or the filing of an application for the approval of an outline development plan, shall set the matter for public hearing and give 15 days' notice thereof by publication in a newspaper of general circulation. Where deemed necessary by the Planning Commission, additional notice shall be given by the posting of a sign or signs on the property. Within 60 days after the filing of an application, the Planning Commission shall conduct the public hearing and shall determine:

- (a) Whether the proposal is consistent with the Comprehensive Plan;
- (b) Whether the proposal harmonizes with the existing and expected development of surrounding areas;
- (c) Whether the proposal is a unified treatment of the development possibilities of the project site;
- (d) Whether the proposal would benefit orderly and proper development of the city; and
- (e) Whether the sidewalks and streets provide a traffic flow compatible with the development and surrounding street pattern.

(2) Where a supplemental district designation PUD is required for the processing of a Planned Unit Development, the Planning Commission shall forward its recommendation, the application, and the outline development plan to the City Council for further hearing as provided in divisions (D)(1)(d) and (D)(1)(3) above and this division (D)(2). Where Planned Unit Development may be processed without the supplemental designation PUD (five acres or larger), the Planning Commission shall approve, approve with modification, or disapprove the outline development plan. Approval by the Planning Commission shall be authorization for the processing of a subdivision plat incorporating the provisions of the outline development plan. The Planning Commission, upon approval of the outline development plan, may direct that a notation indicating the boundaries of the PUD be made on the zoning map.

(E) Upon receipt of the application, outline development plan, and Planning Commission recommendation, the City Council shall hold a hearing, review the outline development plan, approve, disapprove, modify, or return the outline development plan to the Planning Commission for further consideration. Upon approval, the zoning map shall be amended to reflect the supplemental designation PUD, and the applicant shall be authorized to process a subdivision plat incorporating the provisions of the outline development plan.

(F) A Planned Unit Development subdivision plat shall be filed with the Planning Commission and shall be processed in accordance with the subdivision regulations shall include:

- (1) Details as to the location of uses and street arrangement;
- (2) Provisions for the ownership and maintenance of any common open space as will reasonably ensure its continuity and conservation. Open space may be dedicated to a private association or to the public, provided that a dedication to the public shall not be accepted without the approval of the City Council; and
- (3) Such covenants as will reasonably ensure the continued compliance with the approved outline development plan. In order that the public interest may be protected, the city shall be made beneficiary of the covenants pertaining to such matters as location of uses, height of structures, setbacks, screening, and access. Such covenants shall provide that the city may enforce compliance therewith.

(G) After the filing of an approved PUD subdivision plat, and notice thereof to the Building Inspector, no building permits shall be issued on lands within the PUD except in accordance with the approved plat. A building permit in a residential PUD for a freestanding or separate commercial structure shall not be issued until significant progress has been made on other aspects of the proposed development as follows:

- (1) Completion of one-third of the noncommercial features in a project of less than five acres;
- (2) Completion of one-half of the noncommercial features in a project of more than five acres; and
- (3) The Commission has received a satisfactory progress report.

(H) Minor changes in the platted PUD may be authorized by the Planning Commission upon a review of a proposed amended subdivision plat, incorporating such changes, so long as substantial compliance is maintained with the outline development plan and the purposes and standards of the PUD provisions hereof. Changes which would represent a significant departure from the outline development plan shall require formal abandonment and the subsequent filing of a new application for a Planned Unit Development.

(I) Where a Planned Unit Development has been processed pursuant to the supplemental designation of PUD, its abandonment shall require the City Council's approval, after recommendation by the Planning Commission, of an application for amendment to the zoning map repealing the supplemental designation of PUD. Where a Planned Unit Development has been processed by reason of being more than ten acres, its abandonment shall require the approval of the Planning Commission and vacation of the plat.

(J) Any person aggrieved may appeal the final action of the Planning Commission on a proposed outline development plan or on a proposed subdivision plat to the district court by filing with the Secretary of the Planning Commission within ten days after the action appealed from a notice of appeal stating the grounds thereof. There shall be no right of appeal from any act of the Planning Commission taken in its advisory capacity to the City Council.

(Prior Code, § 157.077) (Ord. 1040, passed 4-12-1983)



THE CITY OF DURANT

Office of Community Development

Date: 06/27/2023
To: Planning Commission
Case: PC 2022-17
From: Danielle O'Neal, Community Development Director
Re: Preliminary Plat Extension for property located near Wilson Street and Larkspur Lane

Request: Consider a request from Dr. Kin Whittington, for an extension of the preliminary plat located near Wilson Street and Larkspur Lane

Current Zoning: R-3, General Residential

Surrounding Properties:

Direction	Zoning	Use
North	A-1	Single Family Uses
East	A-1 / R-1	Single Family Uses
South	R-3	Multi Family Uses
West	R-1 / A-1	Single Family Uses

Lot Characteristics:

Width	~ 684 ft.
Depth	~1,295 ft.
Total Area	~20 acres (~885,780 sq. ft.)

Applicant: Kin Whittington (MidContinental Real Estate, LLC)

Background: The applicant approached staff requesting a 180 day (6 month) extension on a preliminary plat. The applicant is requesting an extension in order to complete road construction, which is expected to be completed by July 1, 2023. The applicant stated that the University Boulevard project hampered the project, and further stated that the water, sewer and stormwater have been completed.

This preliminary plat was originally approved on June 8, 2021. This is the first extension that the applicant has asked for on this project. No changes are being requested to the approved preliminary plat.

Analysis: The subject property is already a part of an approved preliminary plat that is set to expire on June 8, 2023. Per City Ordinance §155.021, if a final plat is not filed for all or part of the land shown in the preliminary plat within two years upon approval, then all approvals become void.

§155.027 offers the possibility of an extension or reinstatement procedure through a public meeting of the Planning Commission and to be heard by the City Council. This provides the Planning Commission to make a recommendation and City Council to decide on whether to extend or reinstate an existing plat.

Staff Recommendation: Staff does not have any issues with the extension.

Required Action: Hold a public hearing and recommend approval or denial of the preliminary plat extension/reinstatement of 180 days (6 months) for property located near Wilson Street and Larkspur Lane. Any specific conditions imposed by the Commission should be read into any approval motion.

Mid-Continental Realestate LLC.

1706 Delivery Lane

Durant, Ok 74701

May 30, 2023

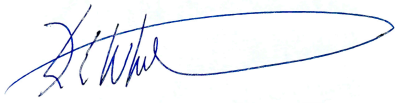
City of Durant
Planning Commission/City Council
300 W. Evergreen
Durant, OK 74701

Dear Sir/Madam

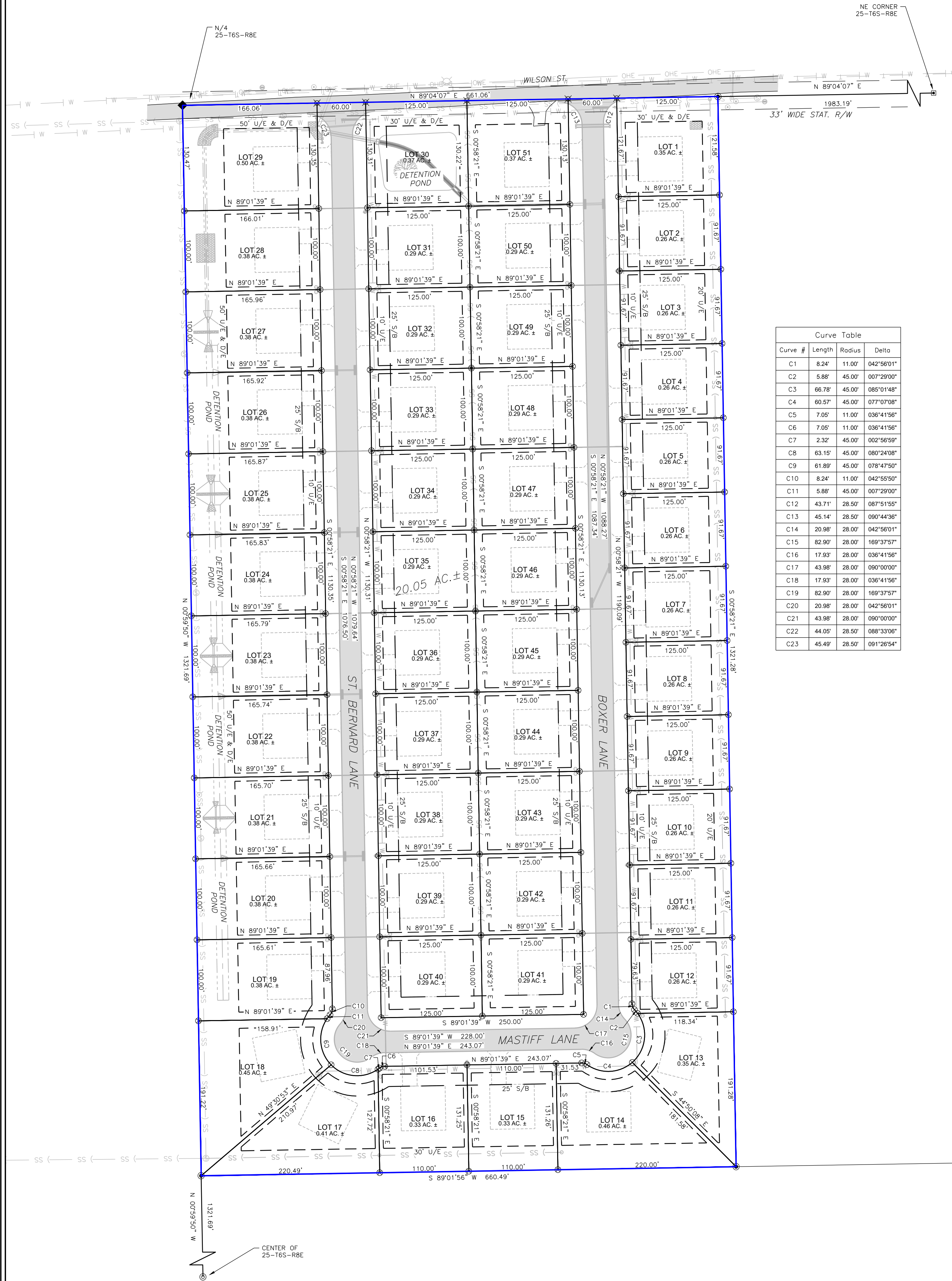
I request a six-month extension of the preliminary plat for the Kash Acres addition (Willson and Larkspur). The original preliminary plat was approved on June 8, 2021. Unless unforeseen issues arise, we will apply for the final plat within the next 30 days. I am sure you are aware of the prolonged University road project. Hampering this project, in that a need to cut the road at Wilson for the main line water tap would only be allowed once University is open at Larkspur and University.

I expect road construction to be complete by July 1, 2023. Water, sewer, and stormwater have been completed; pending are natural gas and electric. They will be placed after the roads are complete.

Sincerely yours,



Kinion Whittington



Subdivision Plat KASH ACRES

Addition has 51 Lots and contains
20.05 acres, more or less

OWNERS CERTIFICATE AND DEDICATION

I, Dr. Kinion Whittington, President, MIDCONTINENTAL REAL ESTATE, LLC, do hereby certify that I am the owner of legal title and the only person, firm or corporation having any right, title or interest in and to the land shown on the annexed map or plat and do further certify that:

- As owner of title to said land which is shown on the annexed map or plat of KASH ACRES, being a subdivision in the W/2 of the NW/4 of the NE/4 of Section 25 Township 6 South Range 8 East of the Indian Base and Meridian, BRYAN County, Oklahoma, do hereby reserve the areas indicated as "60' R/W" (60 feet Roadway Right-of-Way) for the purposes of locating, constructing, erecting, maintaining, conducting and performing any public or quasi-public roadway & utility or roadway & utility function or service above or beneath the surface of the ground, with rights of ingress and egress at any time for the purpose of installation, repair, maintenance, operation and removal of any public or quasi-public roadway or utility.
- Said property covered by said map or plat and dedication is subject to certain restrictions, reservations and covenants contained in a separate instrument, which will be filed for record in the Office of the County Clerk of BRYAN County, Oklahoma, subsequent to the filing of this plat.

Witness my hand on this ____ day of _____, 2021

MIDCONTINENTAL REAL ESTATE, LLC,

By: _____
Dr. Kinion Whittington, President

STATE OF OKLAHOMA }
COUNTY OF BRYAN } ss

Before me, the undersigned, a Notary Public in and for said County and State, on this ____ day of _____, 2021, personally appeared, Dr. Kinion Whittington, to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as its Owner, 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.

My Commission Expires the ____ day of _____, 20____.

Notary Public

DEPARTMENT OF ENVIRONMENTAL QUALITY

I certify that I have approved this plat of a residential development which is on file at the BRYAN County Office of the Oklahoma Department of Environmental Quality, and hereby approve this plat for the use of public water and public sewer systems.

Note: Once plat approval has been obtained from the D.E.Q., no major modifications may occur in an area designated for septic disposal.

Environmental Specialist, O.D.E.Q.

COUNTY TREASURERS CERTIFICATE

I, the undersigned, do hereby certify that I am the duly elected and qualified and acting County Treasurer of BRYAN County, State of Oklahoma; that the tax records of said County show that all taxes are paid for the tax year of 2021 and prior years on the land shown on the annexed plat of KASH ACRES, a subdivision in the W/2 of the NW/4 of the NE/4 of Section 25 Township 6 South Range 8 East, of the Indian Base and Meridian, BRYAN County, Oklahoma; that the required statutory security has been deposited in the Office of County Treasurer, guaranteeing payment of the current year's taxes.

Witness my hand on this ____ day of _____, 2021

County Treasurer

CITY COUNSEL CERTIFICATE

I, the undersigned, do hereby certify that the plat of KASH ACRES, a subdivision in the W/2 of the NW/4 of the NE/4 of Section 25 Township 6 South Range 8 East, of the Indian Base and Meridian, BRYAN County, Oklahoma; together with the Owners Certificate and the Surveyors Certificate on the same were presented to the City Council of Durant, Oklahoma for approval; that said plat, Owners Certificate and Surveyors Certificate being found to conform to the platting requirements in all respects, are in all things approved on this ____ day of _____, 2021.

ROADS SHALL BE PUBLIC AND SHALL BE MAINTAINED BY THE CITY

ROADS WILL NOT BE MAINTAINED BY THE CITY, PROVIDED HOWEVER THAT THE CITY MAY AGREE TO MAINTAIN THE ROADS AT SOME FUTURE DATE

Mayor

City Clerk

PLANNING & ZONING CERTIFICATE

I, the undersigned, do hereby certify that the plat of KASH ACRES, a subdivision in the W/2 of the NW/4 of the NE/4 of Section 25 Township 6 South Range 8 East, of the Indian Base and Meridian, BRYAN County, Oklahoma; together with the Owners Certificate and the Surveyors Certificate on the same were presented to the Planning & Zoning of Durant, Oklahoma for approval; that said plat, Owners Certificate and Surveyors Certificate being found to conform to the platting requirements in all respects, are in all things approved on this ____ day of _____, 2021.

President

LEGAL DESCRIPTION - KASH ACRES

A PIECE OR PARCEL OF LAND BEING THE W/2 OF THE NW/4 OF THE NE/4 OF SECTION 25 TOWNSHIP 6 SOUTH RANGE 8 EAST, BRYAN COUNTY, OKLAHOMA

SURVEYORS CERTIFICATE

I, T.D. Chappell, Licensed Professional Land Surveyor No. 1673 in the State of Oklahoma, hereby certify that the annexed plat of KASH ACRES, BRYAN County, Oklahoma, represents a true and correct survey thereof, made under my supervision on the ____ day of _____, 2021 and that all monuments shown hereon actually exist and their positions are correctly shown; I also certify that the survey and plat thereof meets or exceeds 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.

T.D. Chappell, Oklahoma Licensed Professional Land Surveyor No. 1673

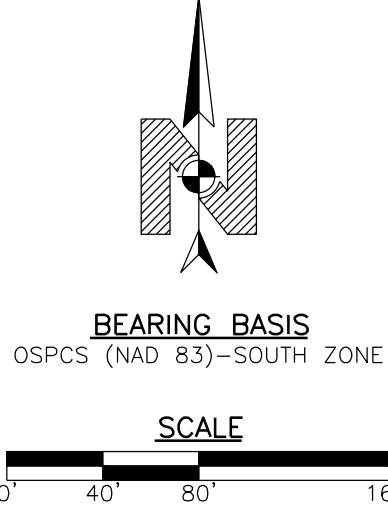
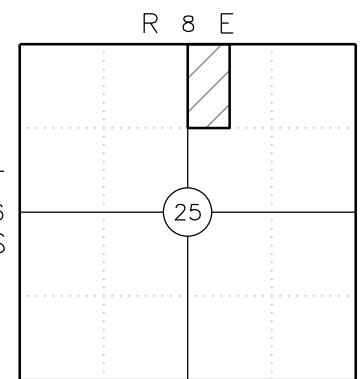
STATE OF OKLAHOMA }
COUNTY OF CHOCTAW } ss

Before me, the undersigned, a Notary Public in and for said County and State, on this ____ day of _____, 2021, personally appeared, T.D. Chappell, to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as its Owner, 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.

My Commission Expires the ____ day of _____, 20____.

Notary Public

- EXISTING MANHOLE
- PROPOSED MANHOLE
- FOUND RAILROAD SPIKE
- FOUND STEEL PIN
- SET 1/2" STEEL PIN W/ CAP (ONCE PLAT IS APPROVED)
- SET PK NAIL W/ WASHER (ONCE PLAT IS APPROVED)
- SET 5/8" STEEL PIN W/ CAP
- FOUND 1" PIPE
- PROPERTY LINE
- 16.5' STAT R/W
- SEWER LINE
- WATER LINE
- OVERHEAD ELECTRIC
- BREAK LINE



OWNER
MIDCONTINENTAL REAL ESTATE, LLC
Durant, Oklahoma

ENGINEER
BARKER & ASSOCIATES
Durant, Oklahoma

SURVEYOR
CHAPPELL LAND SURVEYING, PC
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