

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**

**August 1, 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 June 27, 2023

##### **2. Consider Items Removed from Consent**

##### **3. Public Hearings**

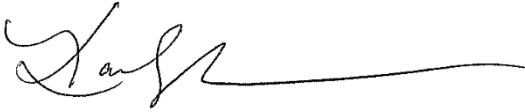
- a. Discussion, Consideration and Possible Action on PC2023-16, a Planned Unit Development (PUD) and Preliminary Plat Request for property located near Lindenwoods Drive and Thomas Circle.
- b. Discussion, Consideration and Possible Action on PC2023-18, a Final Plat request for property located near North 1st Avenue and Gerlach Drive.
- c. Discussion, Consideration and Possible Action on PC2023-19, a Sketch Plat request for property located near Peppernut Lane and Red Bud Lane.
- d. Discussion, Consideration and Possible Action on PC2023-20, a Re-Plat request for property near Maxey Drive and Wilson Street.

##### **4. New Business**

#### **ADJOURNMENT**

# CERTIFICATE

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 2nd day of November, 2022 and that an agenda of said meeting was posted at the place of such meeting at 09:00 a.m. on the 28th day of July, 2023.

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

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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 1:00 p.m. on the 23rd day of June, 2023.



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Kari Speers, City of Durant

**MINUTES OF THE MEETING OF DURANT PLANNING COMMISSION**  
**June 27, 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 5:35 p.m.

**INVOCATION/FLAG SALUTE**

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

**ROLL CALL**

Present:

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

Absent:

Planning Commissioner Clent Horner

**ORDER OF BUSINESS**

**1. Consent Items**

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

a. Consider Approval of Regular Meeting Minutes of May 2, 2023

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

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Knight, Jackson

Nays: None

Abstain: None

**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.

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

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Knight, Jackson

Nays: None



Abstain: None

- b. Discussion, Consideration and Possible Action on an Amendment to Section 157.035 (District Regulations) of the Durant Code of Ordinances.

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 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.

Motion was made by Vice Chairman Knight and seconded by Commission Member Kerr to approve the request with the modification of changing the C3 percentage to 40% and changing the H1 percentage to 50%.

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Knight, Jackson

Nays: None

Abstain: None

- c. Discussion, Consideration and Possible Action on an Amendment to Section 156.034 (Uses Permitted in Districts) of the Durant Code of Ordinances.

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

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

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Knight, Jackson

Nays: None

Abstain: None

## **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.

Danielle O'Neal reviewed with the Planning Commission members 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. 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. : 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. 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. 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. 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.

Matthew Burgess spoke in favor of the rezoning request.

Tracy Herron spoke in favor of the rezoning request.

Motion was made by Chairman Jackson and seconded by Vice Chairman Knight to deny the request as presented.

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Knight, Jackson

Nays: None

Abstain: None

- 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.

Danielle O'Neal reviewed with the Planning Commission 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. The applicant approached staff regarding the rezoning of this property with the desire to use the existing structure as a commercial office. 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. Staff's concerns regarding the rezoning of this property is largely that the lot does not meet the requirements for 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. 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.

Josh Adams spoke in favor of this request.

Beryl Sears spoke in favor of this request.

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

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Knight, Jackson

Nays: None

Abstain: None

- c. Discussion, Consideration and Possible Action on PC2023-14, a Re-Plat Request for property located near West Elm Street and North 16th Avenue.

Kari Speers reviewed with the Planning Commission a request for a Re-Plat Request for property located near West Elm Street and North 16th Avenue. 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 replat is combining two lots into one lot. 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. 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. 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. 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.

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

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Knight, Jackson

Nays: None

Abstain: None

- 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 Larkspur Lane and Overland Drive.

Danielle O'Neal reviewed with the Planning Commission a request from Vithe Nguyen for a rezoning of the property located near located near Larkspur Lane and Overland Drive. The applicant approached staff regarding the rezoning of this property with the desire of building a single family home or residential development. 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. 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. 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. Notifications have been made to the surrounding property owners and at the time of this report staff has received one letter of protest regarding this request.

Clay Cecil spoke in favor of this request.

Motion was made by Vice Chairman Knight and seconded by Chairman Jackson to table the item to the September 5th regular meeting.

Motion Passed with the following vote:

Ayes: Newsom, Knight, Jackson

Nays: Kerr

Abstain: None

- 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.

Danielle O'Neal reviewed with the Planning Commission members a request from HPH Investors LP (Ryan Hackett), for a Planned Unit Development – Preliminary Plat located near Lindenwoods Drive and Thomas Circle. 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. 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. 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.

Ryan Hackett spoke in favor of this request.

Phillip Hightower spoke in regards of public streets and private streets.

Motion was made by Vice Chairman Knight and seconded by Commission Member Kerr.to table the item to the next regular meeting.

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Knight, Jackson

Nays: None

Abstain: None

- f. Discussion, Consideration and Possible Action on PC2023-17, a Preliminary Plat Extension for property located near Larkspur Lane and Wilson Street.

Danielle O'Neal reviewed with the Planning Commission members a request from Dr. Kinion Whittington, for an extension of the preliminary plat located near Wilson Street and Larkspur Lane. 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. 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 does not have any issues with the extension.

Motion was made by Chairman Jackson and seconded by Commission Member Newsom to approve the request contingent on meeting all updated ordinances including the walkways and lights.

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Knight, Jackson

Nays: None

Abstain: None

**6. New Business**

There was no new business.

**ADJOURNMENT**

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

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Knight, Jackson

Nays: None

Abstain: None



# THE CITY OF DURANT

## Office of Community Development

Date: 08/01/2023  
To: Planning Commission  
Case: PC 2023-16  
From: Danielle O'Neal, Community Development Director  
Re: Planned Unit Development and Preliminary Plat located near Lindenwoods Drive and Thomas Circle

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**Update:** Since the last meeting, staff as well as the chairman met with the applicant to find a path forward. Staff also did research into the past plats to help determine what was adopted by the City of Durant in the past phases. That research showed that all streets within all Lindenwoods development with the exception of the current Lindenwoods Drive was adopted as public streets. Staff has requested that in order to have the existing Lindenwoods Drive become a public road that all cracking is sealed and curbs are repaired along Lindenwoods Drive. In addition, exchanging Thomas Circle as well as a segment of Thomas Way to a private street and that the water meters would be changed over to a master meter. Additionally, staff is requesting that the drainage be fixed in the area of Matthew and Thomas Way.

The property owners have agreed to the requests from staff and are currently working on a path forward to ensure everything is done correctly. This also has been reviewed and is supported by the City Attorney.

**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. 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 64 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 off-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. The streets do meet the required ROW. The setbacks along the new Lindenwoods Drive are listed as 10 feet. The requirement for the front setback is 25 feet, which is what the middle building would need to meet per ordinance. However, within a PUD, the Planning Commission and City Council can approve this type of request. All other setbacks does appear to meet current ordinance requirements. Should this be approved further review into water runoff, building plans and fire plans will be reviewed. The applicant will have to come back for a final plat should this be approved with public infrastructure completed. The applicant is aware that it will be required to install streetlights and sidewalks.

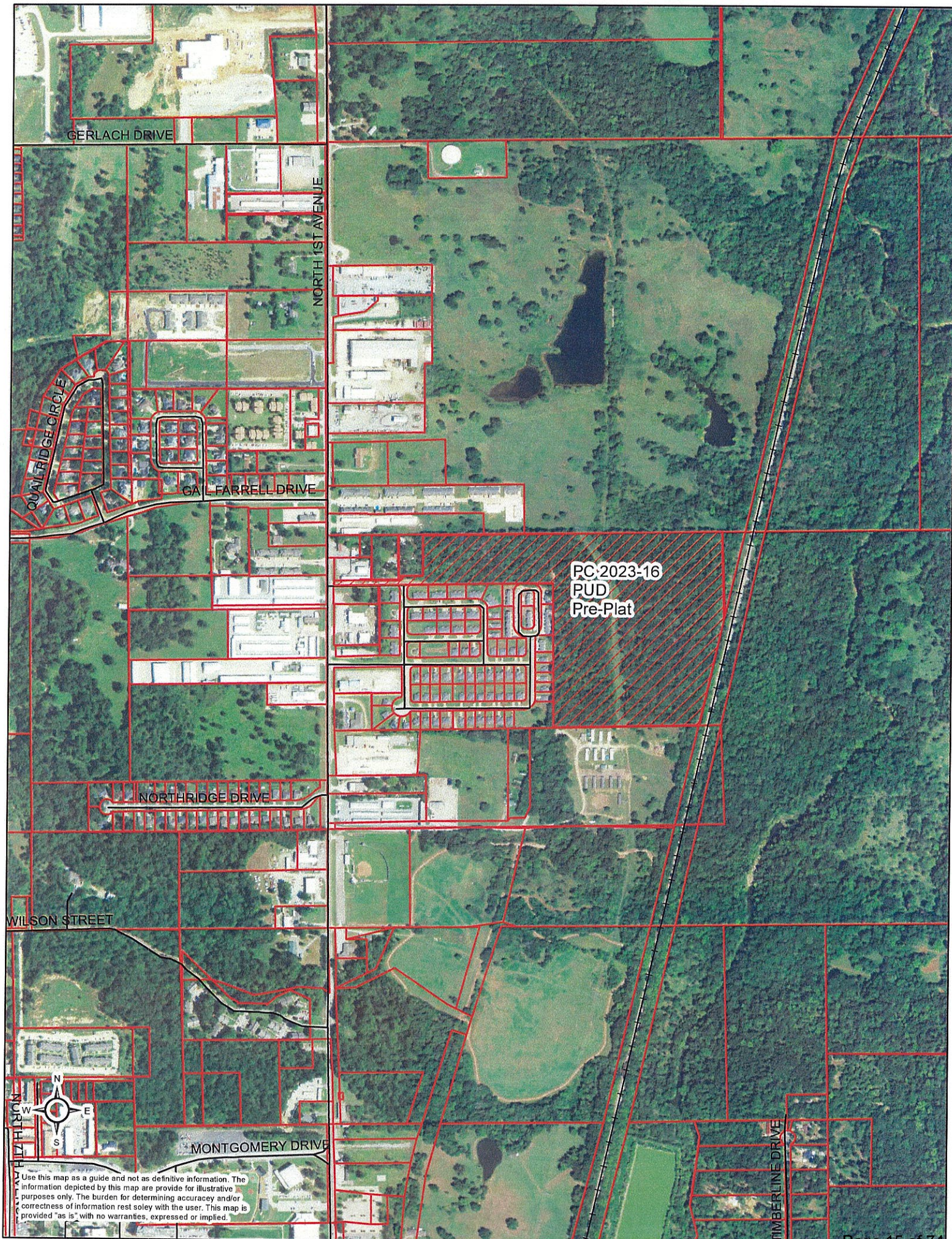
Staff members reviewed the proposed plat a second time with the above mentioned requests and are in support of those requests. The applicant will need to obtain a Stormwater Permit from the Oklahoma Department of Environmental Quality (ODEQ) and provide a copy of their permit and Stormwater Pollution 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 support and recommends approval of this Preliminary Plat and PUD request with the following recommended changes. Repairs to the current Lindenwoods Drive, exchange Lindenwoods Drive to a public street and a segment near Thomas Way as well as Thomas Circle to become private, have meters in Thomas Circle to have a master meter and drainage to be fixed near Matthew and Thomas Way.

**Required Action:** Hold a public hearing and recommend approval or denial the Planned Unit Development and 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

NORTH RIDGE DRIVE

WILSON STREET

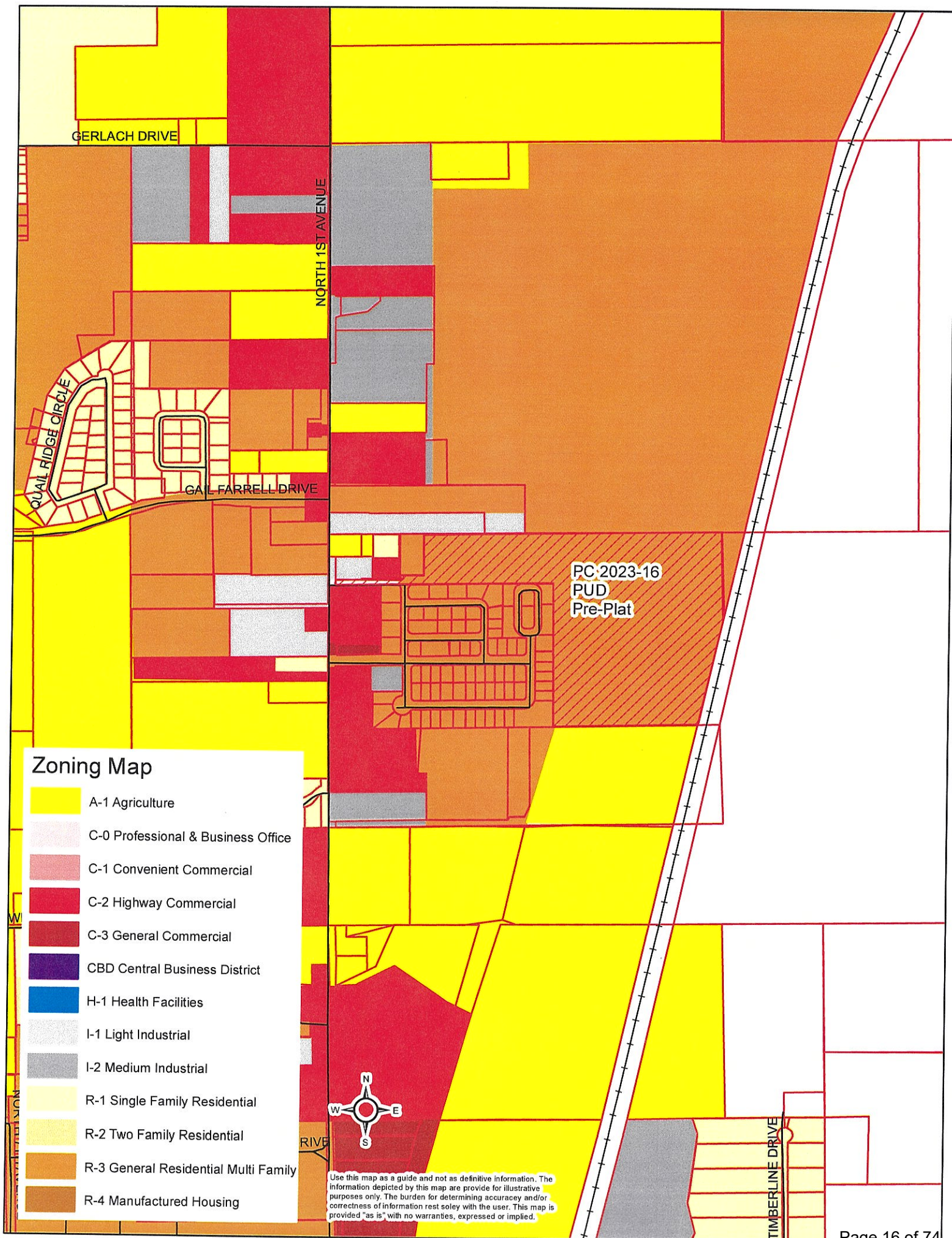
MONTGOMERY DRIVE

TIMBERLINE DRIVE

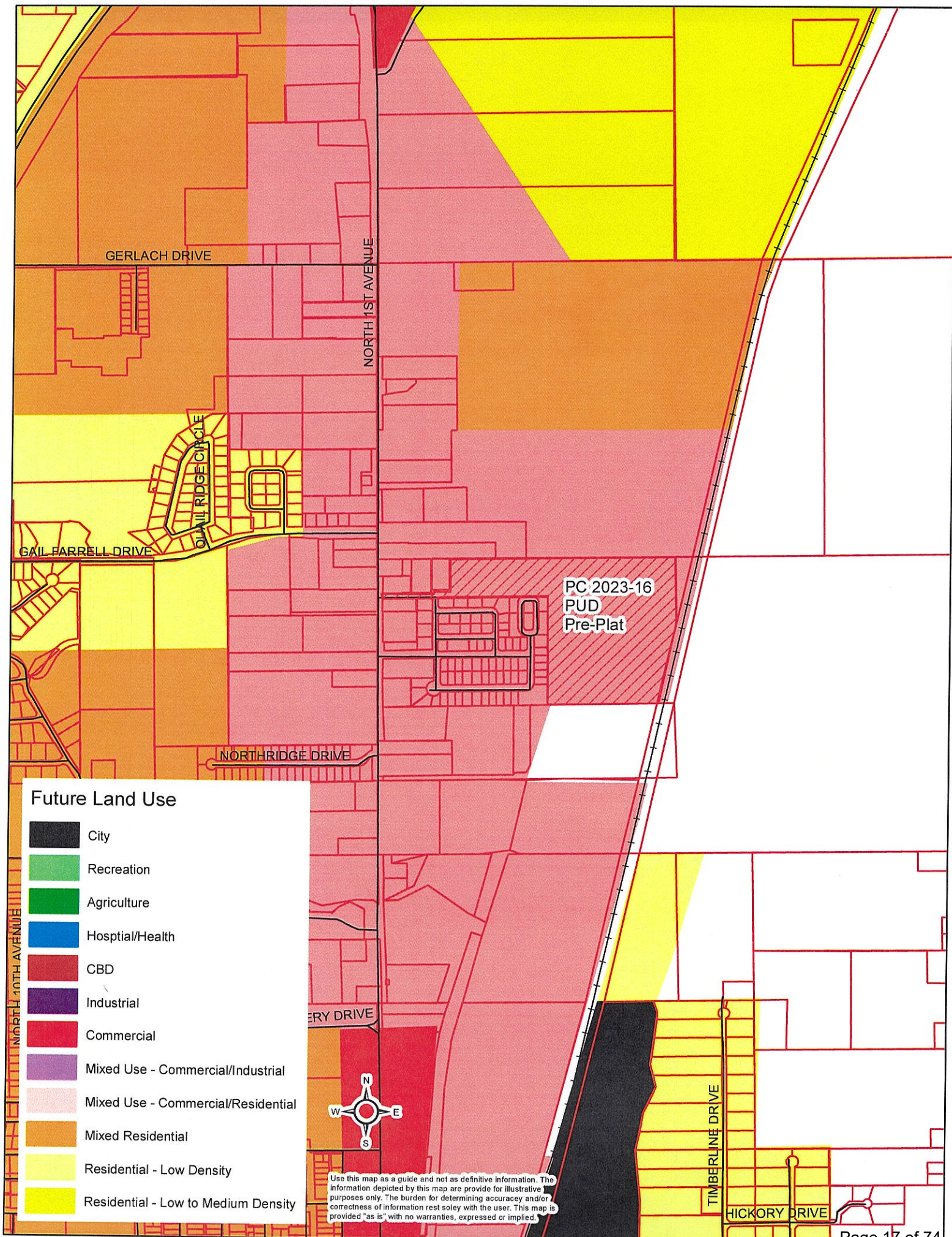


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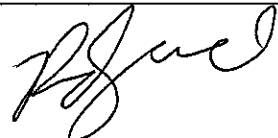
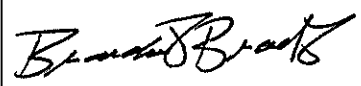
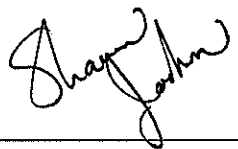






# COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET

## Lindenwoods PC2023-16

| Department                                 | Signature                                                                           | Date       | Notes                                                                                                               |
|--------------------------------------------|-------------------------------------------------------------------------------------|------------|---------------------------------------------------------------------------------------------------------------------|
| Com Dev Director<br>Danielle O'Neal        |    | 6/5/23     | - need updated plat information<br>- needed more info on plat <span style="float: right;">Setbacks<br/>- PUD</span> |
| M&O<br>Randy Cantrell                      |    | 05/30/2023 | Master Meter with private water lines and private sewer lines                                                       |
| Streets<br>Carl Meade                      |    | 5-30-23    | Private Streets                                                                                                     |
| Public Works Director<br>Phillip Hightower |  | 6-5-23     | This needs to stay private                                                                                          |
| Fire Marshal<br>Brandon Brooks             |  | 5/30/23    | Approved w/exceptions<br>- site plan review<br>- Building plan review<br>- Fire alarm & Sprinkler plan review       |
| Building Official<br>Shawn Jackson         |  | 5-30-23    | will need stormwater permit if disturbing greater than 1-acre from DDEQ                                             |
| Engineer<br>Brandon Wall                   | - see attached _____                                                                |            |                                                                                                                     |



Danielle O'Neal &lt;doneal@durant.org&gt;

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## Lindenwoods & RePlat Request

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**brandon@wallengineering.com** <brandon@wallengineering.com>  
To: Danielle O'Neal <doneal@durant.org>  
Cc: Kari Speers <kspeers@durant.org>

Sat, Jun 3, 2023 at 12:42 PM

Danielle,

One thing to note, prior to final approval and building permit issuance for Lindenwoods hydraulics and hydrology data will need to be provided. They'll need to verify that predevelopment discharge equals or is greater than post-development discharge.

Thanks,

**Brandon Wall, P.E., President**

*Wall Engineering, LLC*

*PO Box 1457, Durant, OK 74702 (mailing)*

*223 N Washington, Durant, OK 74701 (physical)*

*(c) 580.931.7998*

**From:** Danielle O'Neal <doneal@durant.org>  
**Sent:** Friday, June 2, 2023 5:15 PM  
**To:** Brandon Wall <brandon@wallengineering.com>  
**Cc:** Kari Speers <kspeers@durant.org>  
**Subject:** Lindenwoods & RePlat Request

Good evening Brandon,

[Quoted text hidden]



Danielle O'Neal &lt;doneal@durant.org&gt;

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## August Planning Commission Plats & Lindenwoods question

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

Mon, Jul 10, 2023 at 8:52 AM

To: Danielle O'Neal &lt;doneal@durant.org&gt;

Cc: Kari Speers &lt;kspeers@durant.org&gt;

Danielle,

We have no comments except Lindenwood. I agree that the issue of public/private needs to be worked out. We weren't originally looking at this one with the idea that roads would be public. If that's the case, I would agree with everyone that we need to take a harder look at drainage. Table would be a good move I think until we can get more information and some decisions made.

Thanks,

**Brandon Wall, P.E., President**

*Wall Engineering, LLC*

*PO Box 1457, Durant, OK 74702 (mailing)*

*223 N Washington, Durant, OK 74701 (physical)*

*(c) 580.931.7998*

[Quoted text hidden]





Durant.org

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Danielle O'Neal &lt;doneal@durant.org&gt;

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## August Planning Commission Plats & Lindenwoods question

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Danielle O'Neal &lt;doneal@durant.org&gt;

Mon, Jul 10, 2023 at 9:54 AM

To: brandon@wallengineering.com

Cc: Kari Speers &lt;kspeers@durant.org&gt;

Brandon,

Thank you for your response. I thought I would share the asks that staff are preparing to ask the applicant for, let me know if you have any thoughts on those and / or if you would still like to recommend this to be tabled at the August Planning Commission meeting.

Make current segment of Lindenwoods public as long as the following are completed:

- Easement covers all utilities as they lay
- Fix drainage issue on SE corner
- Fix road of any issues before city takes over the road

Make current Thomas Circle private and master meter all townhomes in that area. Applicant would pay for meter & vault and Public Works would provide free labor.

If you need further information that I can provide, please let me know.

Thank you again,  
Danielle

[Quoted text hidden]



**Durant.org**  
Powered by Google

Danielle O'Neal <doneal@durant.org>

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## August Planning Commission Plats & Lindenwoods question

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

Mon, Jul 10, 2023 at 9:56 AM

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

Cc: Kari Speers <kspeers@durant.org>

If those were addressed we'd be fine with it.

[Quoted text hidden]

# PLANNED UNIT DEV. APPLICATION (PUD)

Petition # \_\_\_\_\_  
Fee \$ \_\_\_\_\_

## APPLICANT INFORMATION

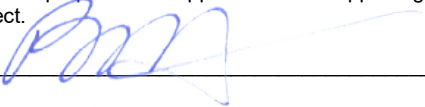
|                                                |                                                                                             |                               |
|------------------------------------------------|---------------------------------------------------------------------------------------------|-------------------------------|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

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

|                                                                                                                                                                                                                                                                                      |             |                                     |       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------------------------|-------|
| Physical Address of proposed PUD:                                                                                                                                                                                                                                                    |             | Name of Project: <b>Lindenwoods</b> |       |
| ___ Platted<br><b>X</b> Un-Platted                                                                                                                                                                                                                                                   | Subdivision | Lot                                 | Block |
| Legal Description: (If Un-platted)<br><b>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 Base and Meridian, Bryan County, Oklahoma (see attached full legal)</b> |             |                                     |       |

|                                                                                                                                                                                                                           |                                                                      |                                             |                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|---------------------------------------------|---------------------------------------------|
| Existing Zoning: <b>R3</b>                                                                                                                                                                                                | Proposed Use: <b>5 apartment building (2 stories) with amenities</b> |                                             |                                             |
| Present Use: <b>Undeveloped Land</b>                                                                                                                                                                                      | Parking Spaces Required:                                             | Parking Spaces Provided:                    |                                             |
| Parcel Width: <b>Varies</b>                                                                                                                                                                                               | Parcel Length: <b>Varies</b>                                         | Acres: <b>5.4 acres</b>                     | Street/Road Frontage: <b>Lindenwoods Dr</b> |
| <b>Yes</b> City Water (If City Water will be extended or improvements will be made, please explain:)                                                                                                                      |                                                                      | <b>water extension to serve development</b> |                                             |
| <b>Yes</b> City Sewer (If City Sewer will be extended or improvements will be made, please explain:)                                                                                                                      |                                                                      | <b>sewer extension to serve development</b> |                                             |
| ___ Private Water                                                                                                                                                                                                         |                                                                      | ___ Private Sewer                           |                                             |
| Explain in your own words why your property should be a Planned Unit Development.<br><b>The city code does not permit multiple buildings on one lot; a PUD would allow the development of multiple buildings one lot.</b> |                                                                      |                                             |                                             |

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<br>Initial           |  |                                       |
| Proof of Publication Received |                         |                       |                         | Property Posting Verified |  | Comprehensive Plan<br>Recommendations |
| Date                          |                         | Initial               |                         | Date                      |  |                                       |
| Staff Recommendation          | PC Recommendation       |                       | City Council Action     |                           |  | Ordinance #                           |
| ___ Approve<br>___ Deny       | ___ Approve<br>___ Deny |                       | ___ Approve<br>___ Deny |                           |  |                                       |

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.

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STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

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

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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.

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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.

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

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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.

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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.



# Subdivision/Plat Application

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

Petition # \_\_\_\_\_

Fee \$ \_\_\_\_\_

Expedited Fee \$ \_\_\_\_\_

## APPLICANT INFORMATION

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

## SURVEYOR INFORMATION

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

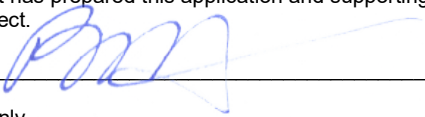
## ENGINEER INFORMATION

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

## LAND INFORMATION

|                                                                                                                                                                                                                                          |                                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| Legal Description: <b>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)</b> | Parcel Number: <b>070045361</b> |
| Proposed Subdivision Name: <b>Linden Wood Phase 5</b>                                                                                                                                                                                    | Current Zone: <b>R3</b>         |
| Proposed Use: <b>Multi-Family development</b>                                                                                                                                                                                            | Proposed Zone: <b>PUD</b>       |
| Current Property Owner's Name: <b>HPH Investors LP (Ryan Hackett)</b>                                                                                                                                                                    |                                 |

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                                           |                                    |
| Staff Recommendation<br>___ Approve<br>___ Deny | PC Recommendation<br>___ Approve<br>___ Deny | City Council Action<br>___ Approve<br>___ 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

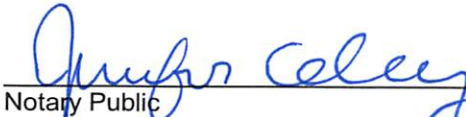
#### NOTARY AND ACKNOWLEDGMENT

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.

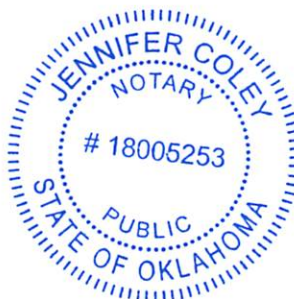
Witness my hand and official seal, this the 29th of July, 2021.

  
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](http://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



PRELIMINARY PLAT OF  
LINDEN WOOD - PHASE 5  
BEING A PART OF THE SW/4 OF SEC. 21, T.6S., R.9E., 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

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

COUNTY CLERK CERTIFICATE  
STATE OF OKLAHOMA  
COUNTY OF BRYAN

This instrument was filed on this \_\_\_\_ day of \_\_\_\_\_, 2023 and duly recorded in Book \_\_\_\_\_ Page \_\_\_\_\_.

COUNTY CLERK

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.

CHAIRMAN

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

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 485.55 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 60.00 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 714.25 feet;

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 288.43 feet to the North line of the Southwest Quarter (SW/4) of said Section;

Thence North 89°49'49" East along the north line of the Southwest Quarter (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 and along the north line of said LINDEN WOOD - PHASE 1, recorded at Book 1312 Page 650 at the Office of the Bryan County Clerk, a distance of 1025.27 feet to the POINT OF BEGINNING.

Containing 278,465 square feet, or 6.393 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

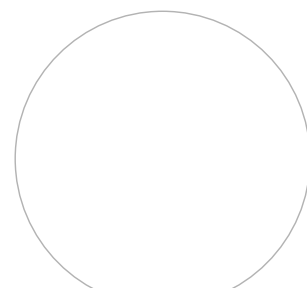
The undersigned, duly qualified abstractor in and for said County and State, hereby certifies that according to the records of said County, title to the land shown on the annexed plat of LINDEN WOOD - PHASE 5 a subdivision of a part of the Southwest Quarter (SW/4) of Section Twenty-one (21), Township 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.

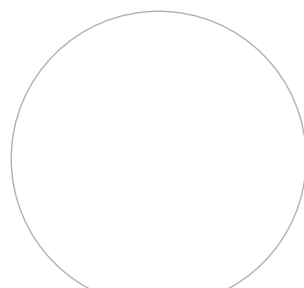
PRESIDENT



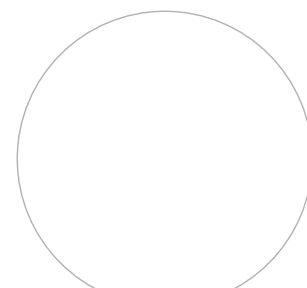
wallace design collective, pc  
structural - civil - landscape - survey  
410 north walnut avenue, suite 200  
oklahoma city, oklahoma 73104  
405.294.5655 - 800.364.5955  
wallacedesign  
ok aa 1460 exp 06/30/23



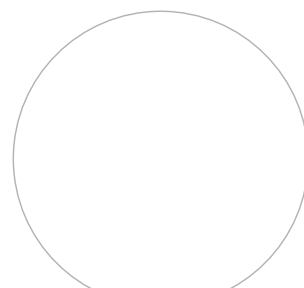
OWNERS' NOTARY



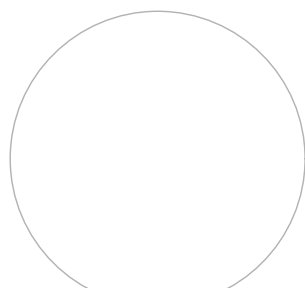
OWNERS' NOTARY



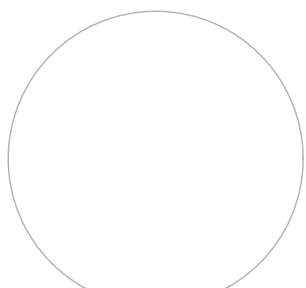
ABTRACTOR



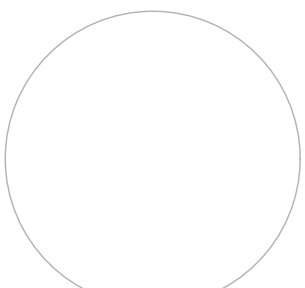
COUNTY TREASURER



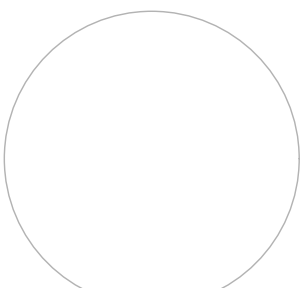
CITY DEV. COMM.



CITY CLERK



SURVEYOR



SURVEYOR'S NOTARY

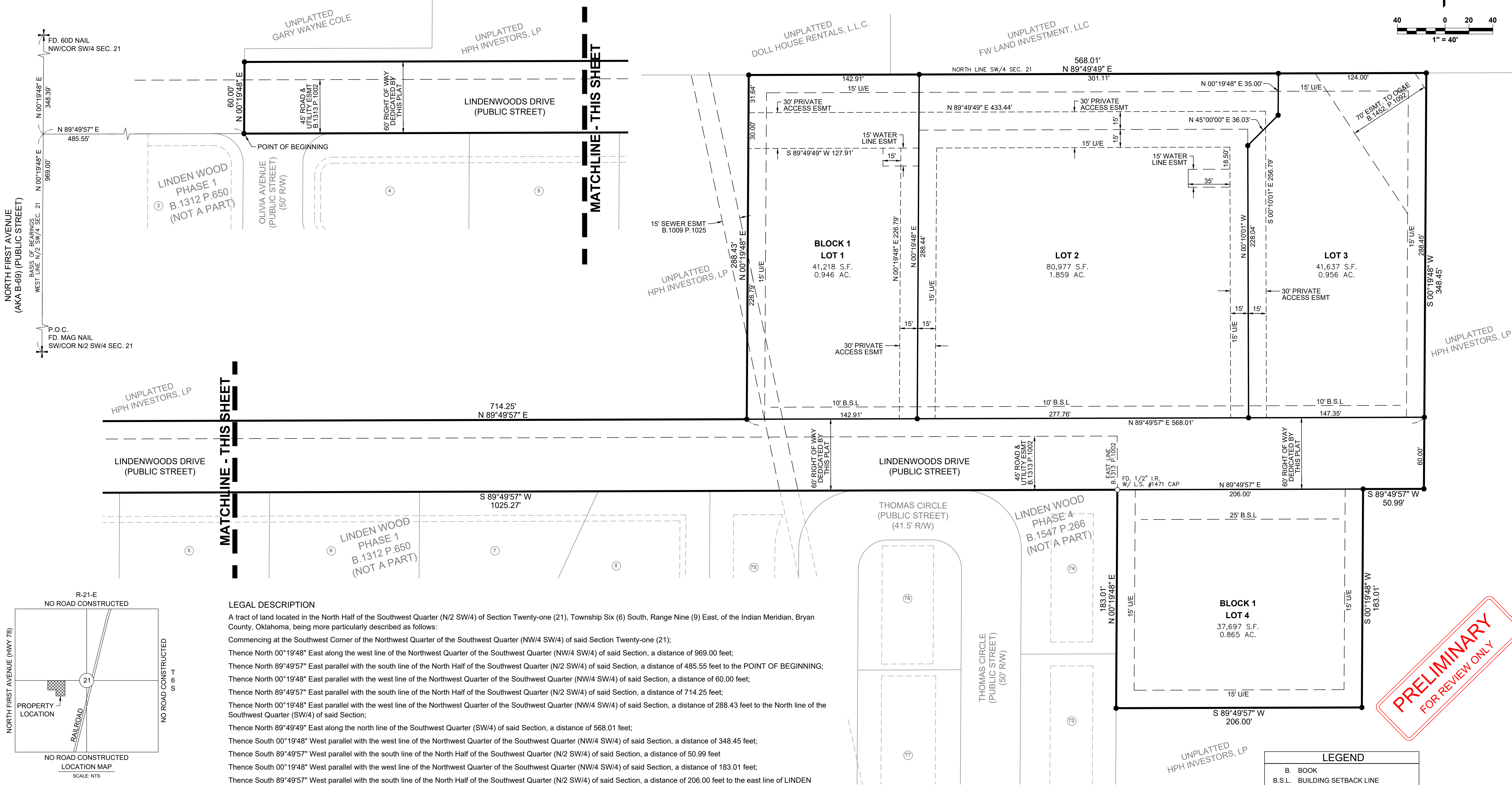
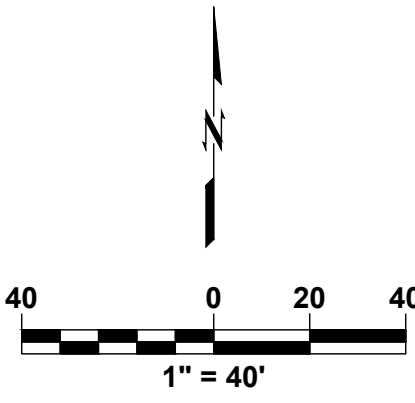


LINDEN WOOD - PHASE 5  
PAGE 1 OF 2



PRELIMINARY PLAT OF  
**LINDEN WOOD - PHASE 5**

BEING A PART OF THE SW/4 OF SEC. 21, T.6S., R.9E., 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:

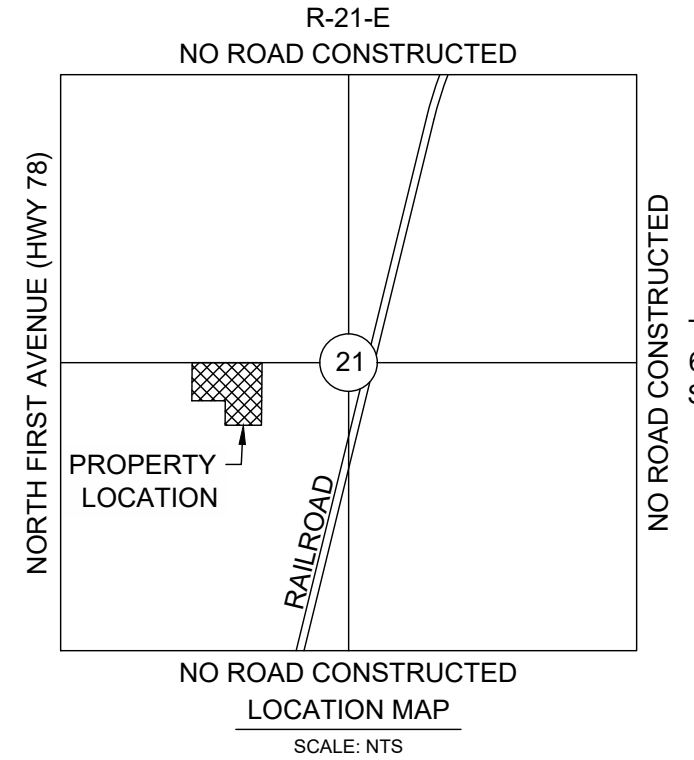
Commencing at the Southwest Corner of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section Twenty-one (21);  
Thence North 00°19'48" East along the west line of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section, a distance of 969.00 feet;  
Thence North 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 485.55 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 60.00 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 714.25 feet;  
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 288.43 feet to the North line of the Southwest Quarter (SW/4) of said Section;  
Thence North 89°49'49" East along the north line of the Southwest Quarter (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 and along the north line of said LINDEN WOOD - PHASE 1, recorded at Book 1312 Page 650 at the Office of the Bryan County Clerk, a distance of 1025.27 feet to the POINT OF BEGINNING.

Containing 278,465 square feet, or 6.393 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 44013C0190E, with a revised date of June 2, 2011.

**PRELIMINARY**  
FOR REVIEW ONLY



**wallace design collective, pc**  
structural - civil - landscape - survey  
410 north walnut avenue, suite 200  
oklahoma city, oklahoma 73104  
405.294.5868 - 800.364.5868  
wallacedesign.com  
ok cc 1460 exp 06.30.23





SS MH  
RIM = 649.32'  
FL S = 636.07'  
FL NW = 636.97'

FNC. COR.  
6.3' N OF  
PROP. LINE

UNPLATTED  
FW LAND INVESTMENT, LLC

N 89°49'49" E

1994.46'

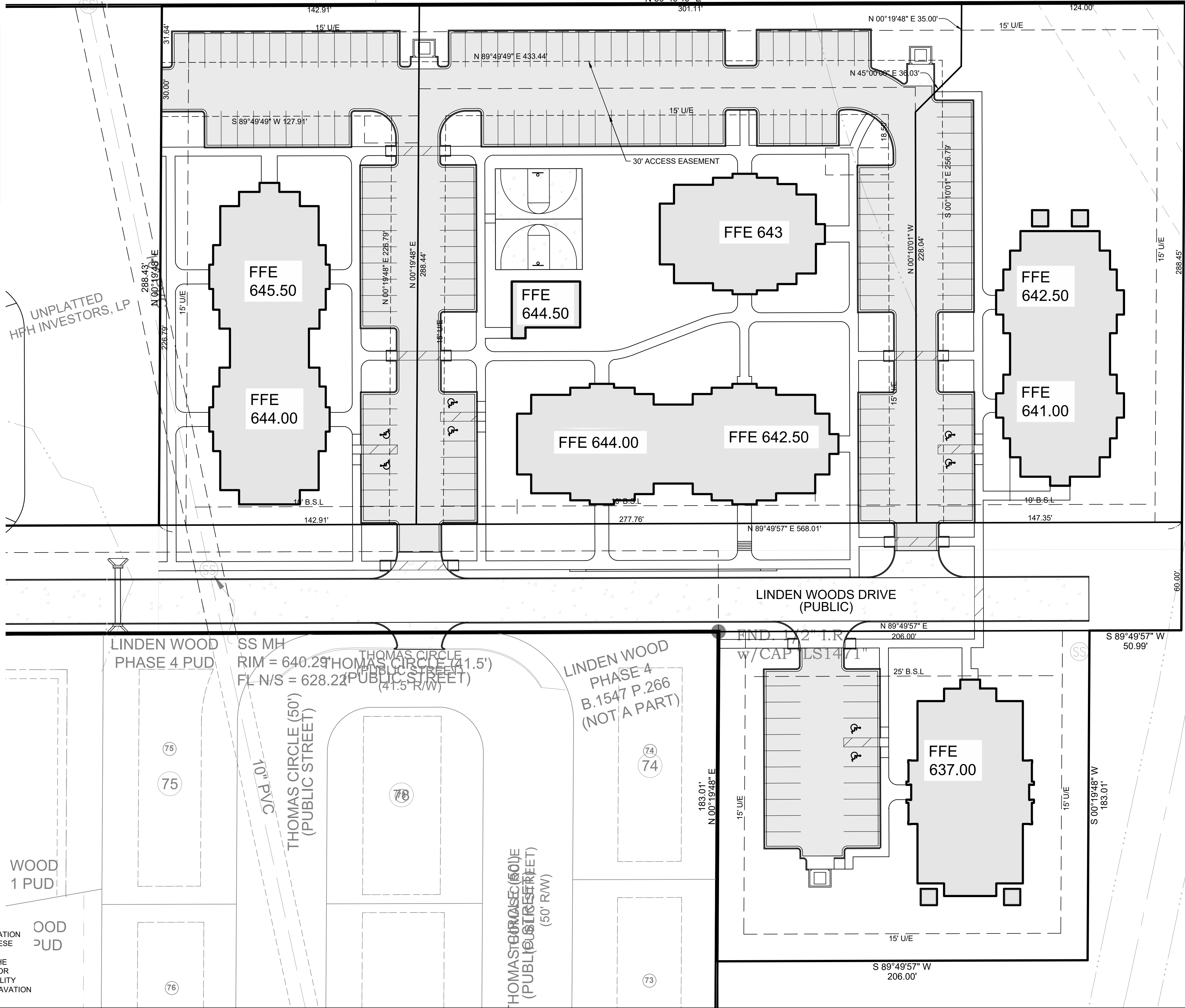
## GENERAL SITE NOTES:

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



## CAUTION

### NOTICE TO CONTRACTOR

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THE LOCATION AND ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES.



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        |             |  |  |  |  |
|-------------|-------------|--|--|--|--|
| REV         | DESCRIPTION |  |  |  |  |
| DATE        | 03.20.23    |  |  |  |  |
| PROJECT NO. | 2280092     |  |  |  |  |
| SHEET NAME  |             |  |  |  |  |

## SITE PLAN

---

SHEET NO.

# C410



## 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: 08/01/2023  
To: Planning Commission  
Case: PC 2023-18  
From: Danielle O'Neal, Community Development Director  
Re: Final Plat Request for property located near North 1<sup>st</sup> Avenue and Gerlach Drive

**Request:** Consider a request from Kevin Hammons, for a Final Plat Request for property located near North 1<sup>st</sup> Avenue and Gerlach Drive.

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

**Surrounding Properties:**

| Direction | Zoning | Use               |
|-----------|--------|-------------------|
| North     | C-2    | Commercial Uses   |
| West      | C-2    | Storage Buildings |
| South     | I-1    | Storage Buildings |
| East      | I-1    | Vacant            |

**Lot Characteristics (Current Lot):**

|            |                              |
|------------|------------------------------|
| Width      | ~327 ft.                     |
| Depth      | ~298 ft.                     |
| Total Area | ~2.2 acres (~97,446 sq. ft.) |

**Applicant:** Kevin and Amanda Hammond



**Background:** The applicant approached staff regarding the platting of this property in order to create two separate lots. The current lot has an existing structure on the lot, and the new lot would be a vacant lot.

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

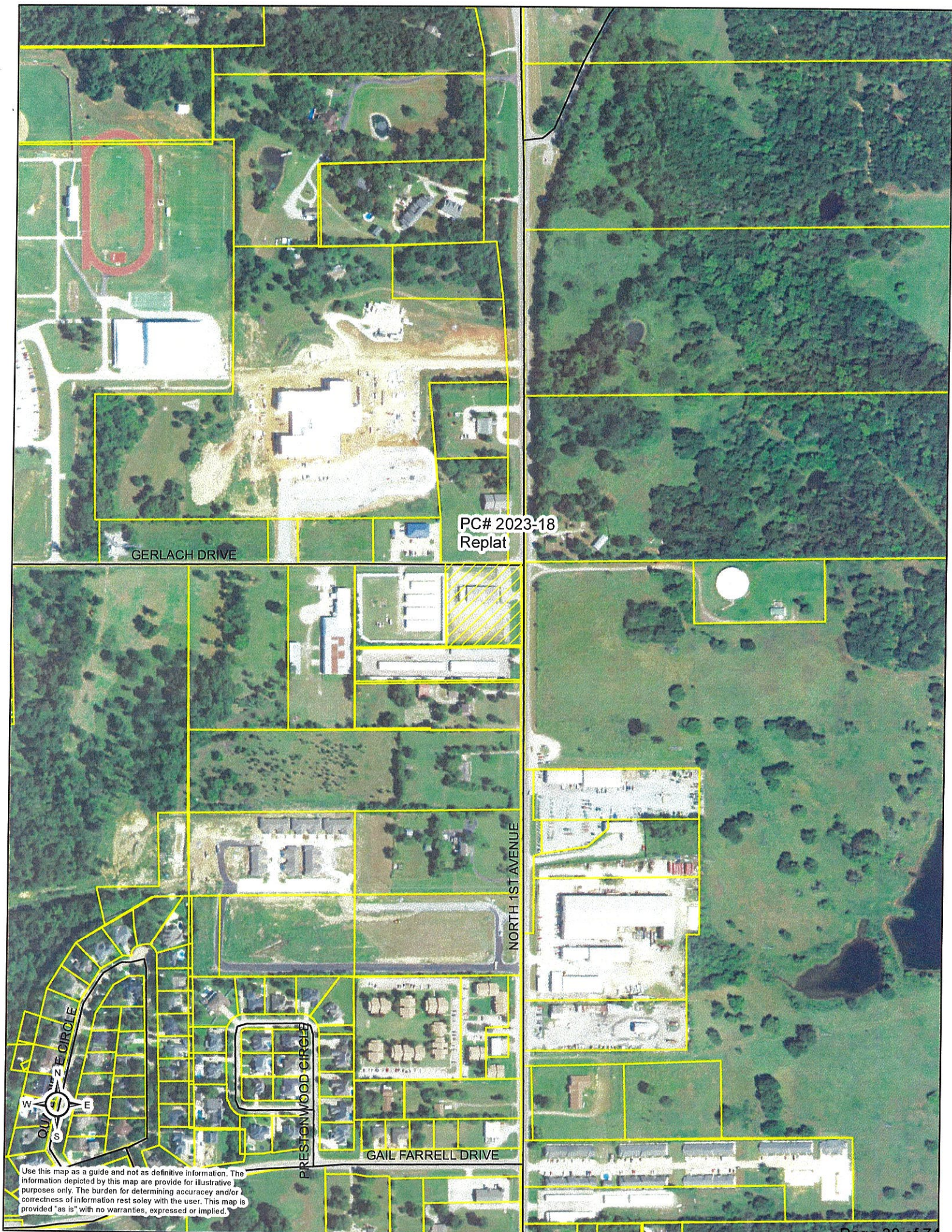
**Analysis:** The subject property is approximately a total of about 2.2 acres and has an existing business on the property. The plat shows the existing lot being separated into two lots. The plat indicates that both lots will be over 1 acre. Both lots meet the size requirements within the zoning district. There appears to be city water and sewer in the area. The plat shows an existing public water line running through the southern lot. The plat further shows a 10-foot easement along this water line. It should be noted that no permanent structures can be built over the water line. The lots will not need any public infrastructure. Staff has signed off supporting the approval of this plat. A note made was regarding an easement that needed to be placed on the plat for the water line, which was completed as well as that no permanent structure can be placed on the water line. Another note was made that should greater than an acre is disturbed that the applicants will need to obtain a Stormwater Pollution Prevention Program and a Stormwater Permit from the Oklahoma Department of Environmental Quality (ODEQ). They will need to provide a copy to city staff.

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

**Staff Recommendation:** Staff does recommend approval of the plat since the plat does meet all of the platting requirements. Staff has signed off supporting the approval of the final plat, with the notes that no permanent structure can be built over the water line as well as should greater than 1-acre be disturbed, the applicant/owner will need to obtain a Stormwater Permit through the Oklahoma Department of Environmental Quality and provide a copy to staff.

**Required Action:** Hold a public hearing and recommend approval or denial of the Final Plat request for property located near North 1<sup>st</sup> Avenue and Gerlach Drive. Any specific conditions imposed by the Commission should be read into any approval motion.





PC# 2023-18  
Replat

GERLACH DRIVE

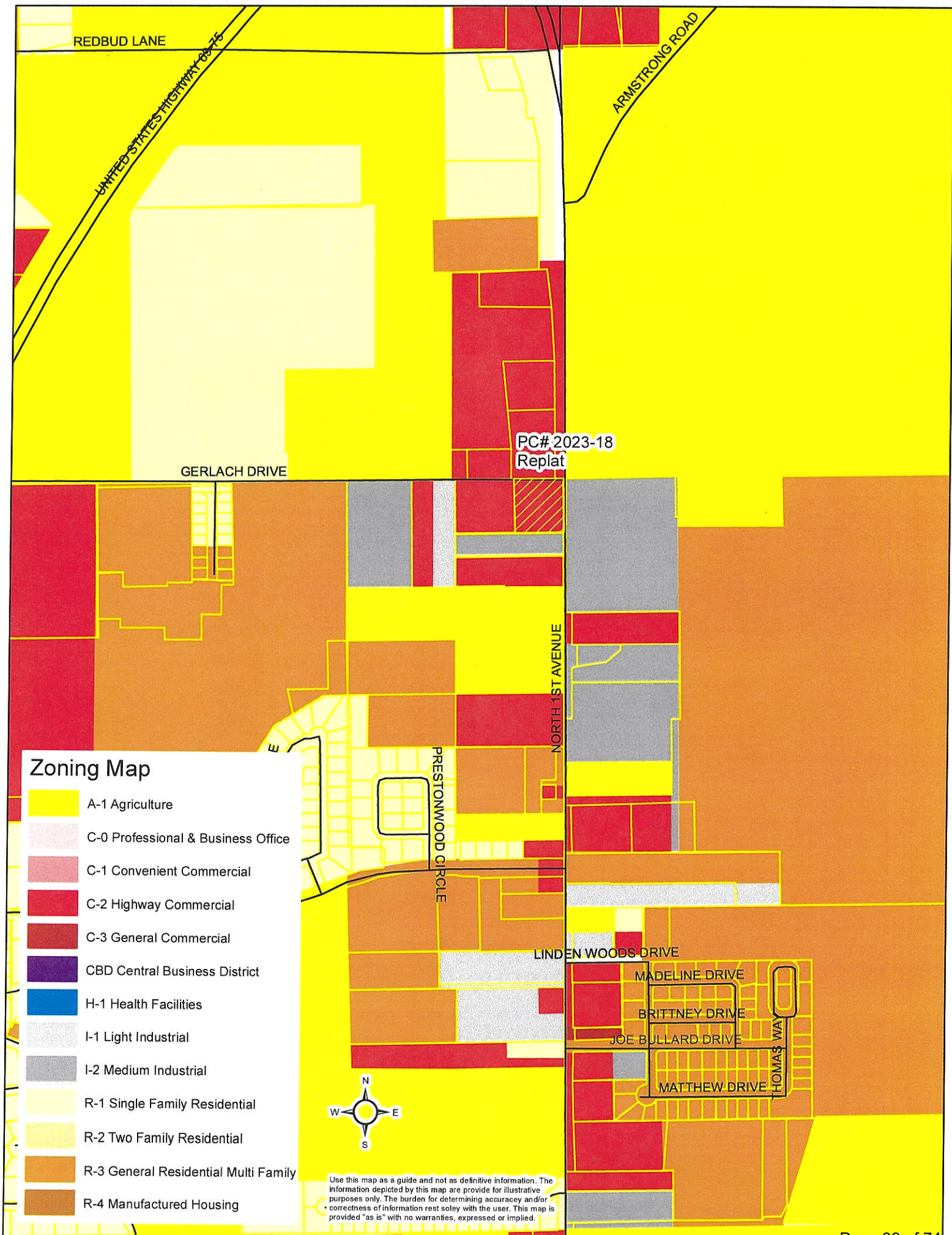
NORTH 1ST AVENUE

PRESTONWOOD CIRCLE

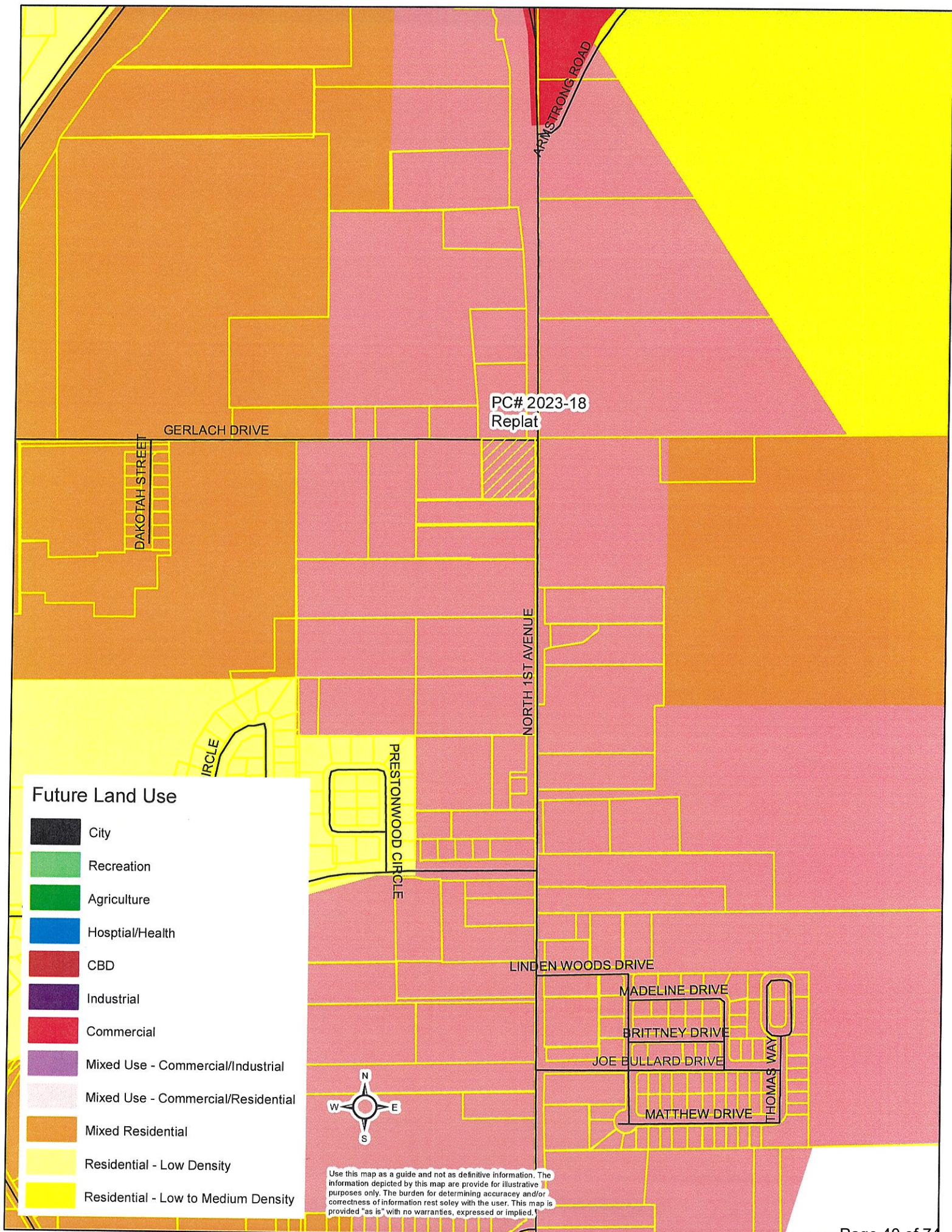
GAIL FARRELL DRIVE

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.











# COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET

## ELITE WHOLESALE AUTO PC2023-18 (1st & Gerlach)

| Department                                    | Signature                | Date       | Notes                                                                                    |
|-----------------------------------------------|--------------------------|------------|------------------------------------------------------------------------------------------|
| Com Dev Director<br>Danielle O'Neal           | <i>D O'Neal</i>          | 7/26/23    | if disturb greater than 1 acre<br>will need SW3P & stormwater permit<br>from ODEQ.       |
| M&O<br>Randy Cantrell                         | <i>R Cantrell</i>        | 07-07-2023 | Water Line<br>crosses south<br>lot can't build on water<br>line                          |
| Streets<br>Carl Meade                         | <i>Carl Meade</i>        | 7-7-23     |                                                                                          |
| Public Works<br>Director<br>Phillip Hightower | <i>Phillip Hightower</i> | 7-7-23     | Contingent to easement<br>for 16" waterline<br>This easement on plat                     |
| Fire Marshal<br>Brandon Brooks                | <i>Brandon Brooks</i>    | 7-7-23     | No Comments                                                                              |
| Building Official<br>Shawn Jackson            | <i>Shawn Jackson</i>     | 7-7-23     | upon meeting, ✓ 7/26<br>set backls<br>will need building permit<br>for any new structure |
| Engineer<br>Brandon Wall                      | <i>see attached</i>      |            |                                                                                          |



Danielle O'Neal &lt;doneal@durant.org&gt;

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## August Planning Commission Plats & Lindenwoods question

---

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

Mon, Jul 10, 2023 at 8:52 AM

To: Danielle O'Neal &lt;doneal@durant.org&gt;

Cc: Kari Speers &lt;kspeers@durant.org&gt;

Danielle,

We have no comments except Lindenwood. I agree that the issue of public/private needs to be worked out. We weren't originally looking at this one with the idea that roads would be public. If that's the case, I would agree with everyone that we need to take a harder look at drainage. Table would be a good move I think until we can get more information and some decisions made.

Thanks,

**Brandon Wall, P.E., President**

*Wall Engineering, LLC*

*PO Box 1457, Durant, OK 74702 (mailing)*

*223 N Washington, Durant, OK 74701 (physical)*

*(c) 580.931.7998*

[Quoted text hidden]

# Subdivision/Plat Application

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

Petition # PC2023-18  
 Fee \$ 300.00  
 Expedited Fee \$ \_\_\_\_\_

## APPLICANT INFORMATION

|                                               |                                        |                               |
|-----------------------------------------------|----------------------------------------|-------------------------------|
| Name: <u>KEVIN and Amanda HAMMOND</u>         | Email: <u>KEVIN@ELITEAUTOCLUBS.COM</u> | Phone #1: <u>580-920-5633</u> |
| Mailing Address: <u>160 HAYNIC Road</u>       |                                        | Phone #2: <u>580-920-8786</u> |
| City: <u>Durmit</u>                           | State: <u>OK</u>                       | Zip: <u>74701</u>             |
| Applicant's Interest in Property: <u>100%</u> |                                        |                               |

## SURVEYOR INFORMATION

|                                                 |                                        |                               |
|-------------------------------------------------|----------------------------------------|-------------------------------|
| Name: <u>Craig Surveying</u>                    | Email: <u>CraigSurveying@gmail.com</u> | Phone #1: <u>580-775-1777</u> |
| Mailing Address: <u>Po Box 383 Bokchito, OK</u> |                                        | Phone #2: _____               |
| City: _____                                     | State: _____                           | Zip: <u>74726</u>             |
| Surveyor Oklahoma License Number: _____         |                                        |                               |

## ENGINEER INFORMATION

|                                         |              |                 |
|-----------------------------------------|--------------|-----------------|
| Name: <u>N/A</u>                        | Email: _____ | Phone #1: _____ |
| Mailing Address: _____                  |              | Phone #2: _____ |
| City: _____                             | State: _____ | Zip: _____      |
| Engineer Oklahoma License Number: _____ |              |                 |

## LAND INFORMATION

|                                                                |                      |
|----------------------------------------------------------------|----------------------|
| Legal Description: <u>SEE ATTACHED</u>                         | Parcel Number: _____ |
| Proposed Subdivision Name: <u>GERLACH PLAZA</u>                | Current Zone: _____  |
| Proposed Use: <u>COMMERCIAL</u>                                | Proposed Zone: _____ |
| Current Property Owner's Name: <u>KEVIN and Amanda HAMMOND</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: KH Date: 5-23-23

## Office Use Only

|                               |                           |                                    |          |
|-------------------------------|---------------------------|------------------------------------|----------|
| Date Filed                    | Date Payment Received     | Notification Mailed                | Comments |
| Initial                       | Initial                   | Date<br>Initial                    |          |
| Proof of Publication Received | Property Posting Verified | Comprehensive Plan Recommendations |          |
| Date Initial                  | Date Initial              |                                    |          |



|                                                                                           |                                                                                        |                                                                                          |             |
|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-------------|
| Staff Recommendation<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | PC Recommendation<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | City Council Action<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | Ordinance # |
|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-------------|

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

Please describe the nature and operating characteristics of the proposed use:

Will be Divided into 2 separate Lots -

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking:

N/A

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

N/A

3. Traffic Impacts:

NONE

4. Protection of Neighborhoods:

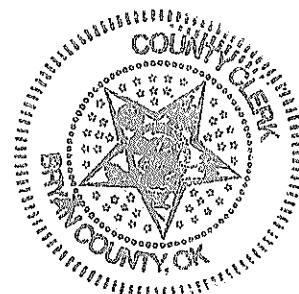
N/A

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

NONE

Please list or describe any other reasons to support this application.

## WARRANTY DEED (INDIVIDUAL)



KNOW ALL MEN BY THESE PRESENTS:

That, **KEVIN HAMMOND and MANDY HAMMOND, 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 **ELITE WHOLESALE AUTO, LLC**, 3106 W. University Drant, OK 74709, party of the second part, the following described real property and premises, situated in Bryan County, State of Oklahoma, to-wit:

A tract of land being a part of the N/2 NE/4 NE/4 of Section 20, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, being more particularly described as follows: Beginning at the Northeast corner of said Section 20, said point being a aluminum monument found, Thence South 00 degrees 34 minutes 20 seconds East a distance of 329.31 feet to a pk spike set; Thence South 89 degrees 23 minutes 18 seconds West passing a No. 3 rebar set at 50.00 feet and continuing for a total distance of 300.67 feet to a No. 3 rebar set; Thence North 00 degrees 34 minutes 20 seconds West a distance of 329.30 feet to a pk spike set; Thence North 89 degrees 23 minutes 10 seconds East passing a pk spike found at 250.67 feet and continuing for a total distance of 300.67 feet to the Point of Beginning.

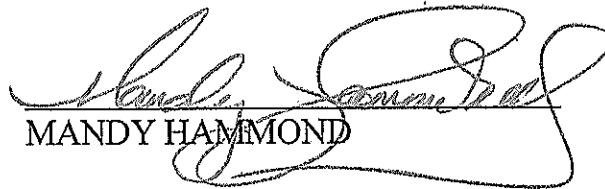
Equitable Conveyance; No revenue stamps required;

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, its 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 11<sup>th</sup> day of July, 2014.

  
KEVIN HAMMOND

  
MANDY HAMMOND

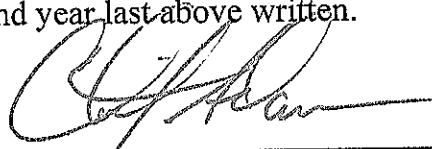
STATE OF OKLAHOMA     )  
                                          )ss.  
COUNTY OF BRYAN     )

ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this 11<sup>th</sup> day of July, 2014, personally appeared KEVIN HAMMOND and MANDY HAMMOND, who acknowledged to me that they executed the foregoing instrument as their free and voluntary act and deed.

Before me, the undersigned, a Notary Public in and for said County and State, on this 11<sup>th</sup> day of July, 2014, personally appeared KEVIN HAMMOND and MANDY HAMMOND, husband and wife, to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

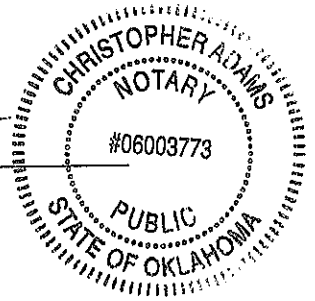
WITNESS my hand and Seal the day and year last above written.



NOTARY PUBLIC

My Commission Expires:

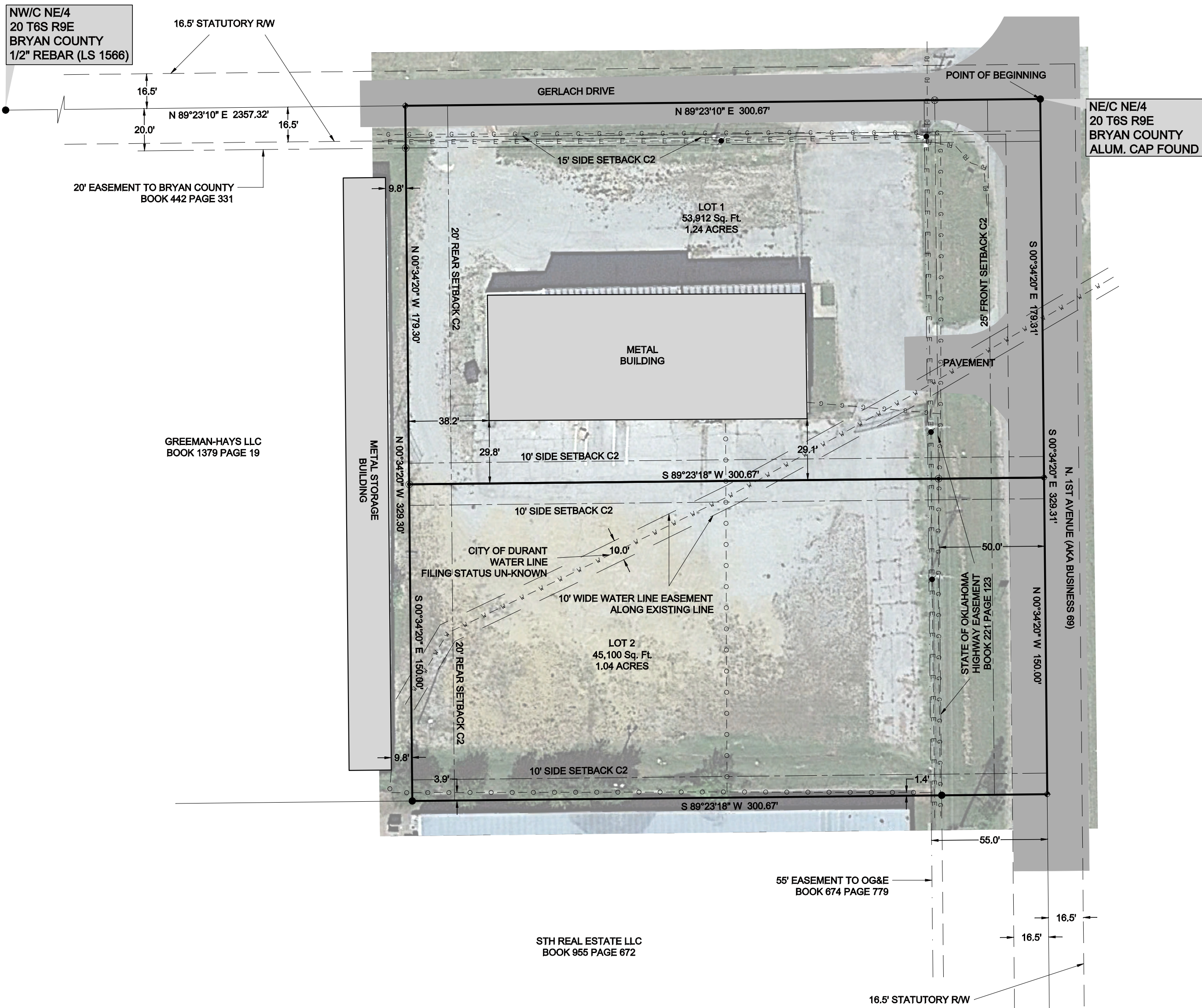
4/14/2018





# GERLACH PLAZA

PORTION OF SECTION 20 T6S R9E  
BRYAN COUNTY, OKLAHOMA



#### GENERAL SURVEY NOTES:

SUBJECT TO EASEMENTS AND/OR RIGHT-OF-WAYS, EITHER RECORDED, OR IMPLIED, THEREOF.

THIS SURVEY WAS PERFORMED FOR THE BENEFIT OF KEVIN AND MANDY HAMMOND. ANY OTHER USE OF THIS PLAT IS PROHIBITED.

THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE CLIENT(S) AND DOES NOT EXTEND TO ANY UNNAMED PERSON(S) WITHOUT EXPRESS RECERTIFICATION BY SURVEYOR NAMING SAID PERSON(S).

THIS IS NOT A VALID SURVEY WITHOUT THE SURVEYORS HAND WRITTEN SIGNATURE AND DATE.

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OR TITLE OPINION.

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.

CRAIGE SURVEYING L.L.C. COPYRIGHT 2023.

SETBACK INFORMATION FROM THE CITY OF DURANT, DANIELLE O'NEAL. ZONED C2 COMMERCIAL.

EASEMENT INFORMATION FURNISHED BY THE CLIENTS. NO EASEMENT RESEARCH HAS BEEN PERFORMED BY THE SURVEYOR.

AERIAL MAPPING FROM GOOGLE EARTH, FOR GENERAL REFERENCE ONLY.

-BASIS OF BEARINGS-  
RECORD DEED  
EAST LINE NE/4  
S 00°34'20\"/>



#### Durant 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 **GERLACH PLAZA** on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chairman

Secretary

#### 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 **GERLACH PLAZA**, to the City of Durant, Bryan County, Oklahoma and are hereby accepted. Adopted by the City of Durant, Bryan County, Oklahoma, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Mayor

City Clerk

#### BRYAN COUNTY CLERK CERTIFICATE

State of Oklahoma, County of Bryan  
This instrument was filed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ and duly recorded in Book Number \_\_\_\_\_ Page \_\_\_\_\_.

Bryan County Clerk

#### BRYAN COUNTY TREASURER'S CERTIFICATE

I, \_\_\_\_\_, Do hereby certify that I am the duly qualified and acting County Treasurer of Bryan County, Oklahoma. That the tax records of said county show all taxes for the year 20\_\_\_\_ and prior years are paid on the land shown on this lot combination plat in the City of Durant, Oklahoma; and that the required statutory security has been deposited in the office of the County Treasurer guaranteeing the 20\_\_\_\_ taxes.

Bryan County Treasurer

Date

#### 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.

Environmental Specialist

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 \_\_\_\_\_ executed the same as \_\_\_\_\_ free and voluntary act and deed for the uses and purposes therein set forth.

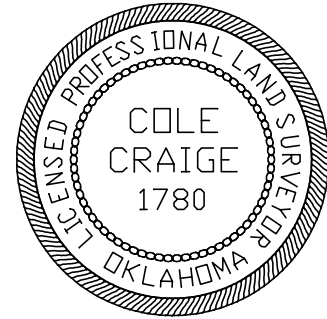
Given under my hand and seal of office the day and year last above written.

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

#### LICENSED LAND SURVEYORS CERTIFICATE

I, COLE CRAIGE, a licensed land surveyor in the State of Oklahoma, do hereby certify that this plat represents a survey performed by myself and meets the Minimum Standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors. Subject to easements and/or right-of-ways recorded or implied thereof.



COLE CRAIGE P.L.S. #1780

DATE

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 \_\_\_\_\_ executed the same as \_\_\_\_\_ free and voluntary act and deed for the uses and purposes therein set forth.

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

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

#### OWNERS:

ELITE WHOLESALE AUTO LLC  
KEVIN AND MANDY HAMMOND  
160 HAYNIE ROAD  
DURANT, OK 74701

OWNERS CERTIFICATE & DEDICATION  
KNOW ALL MEN BY THESE PRESENTS:

That \_\_\_\_\_ being the sole owners in fee simple of the following described real property:

(BOOK 1583 PAGE 479) PARENT PARCEL DESCRIPTION

A TRACT OF LAND BEING A PART OF THE N/2 NE/4 NE/4 OF SECTION 20, TOWNSHIP 6 SOUTH, RANGE 9 EAST, BRYAN COUNTY, OKLAHOMA, DESCRIBED AS BEGINNING AT THE NE/4 OF SAID SECTION 20, SAID POINT BEING AN ALUMINUM MONUMENT FOUND; THENCE SOUTH 00°34'20\"/>

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 \_\_\_\_\_ executed the same as \_\_\_\_\_ free and voluntary act and deed for the uses and purposes therein set forth.

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

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

## LEGEND

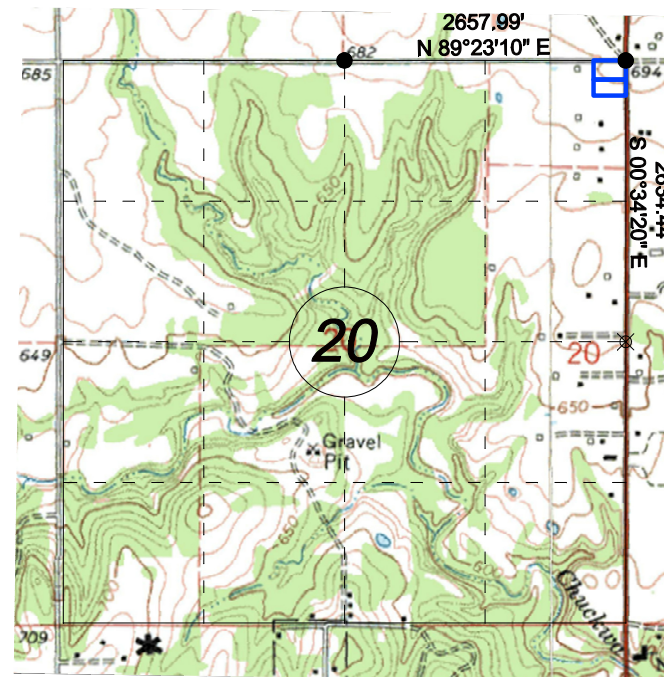
These standard symbols will be found in the drawing.

- IRON PIN FOUND
- ⊙ MAG NAIL FOUND
- ⊗ 80D NAIL FOUND
- ⊕ 1/2\"/>
- ⬢ CALCULATED CORNER
- 50' HIGHWAY EASEMENT
- — — CHAINLINK FENCE
- — — BOUNDARY LINE
- — — 16.5' STATUTORY RW
- W — W — W — WATER LINE
- E — E — E — OVERHEAD ELECTRIC
- G — G — G — NATURAL GAS
- R — R — R — FIBER OPTIC

#### UTILITIES PER OKIE LOCATE

#23070308240458  
SURVEYOR MAKES NO GUARANTEE TO THE ACTUAL LOCATION OF UNDERGROUND UTILITIES. OKIE LOCATE MARKS SHOWN ONLY.

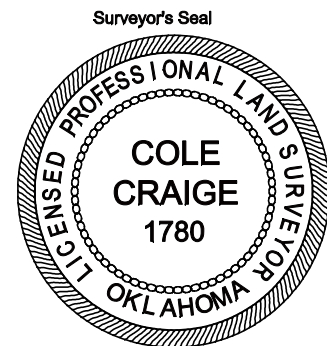
#### LOCATION & SURVEY CONTROL MAP SECTION 20 T6S R9E



#### CRAIGE SURVEYING L.L.C.

P.O. BOX 383 BOKCHITO, OK 74726  
(800) 286-2404  
CA # 8185, PLS # 1780  
craig@surveyingllc@gmail.com

KEVIN AND MANDY HAMMOND  
160 HAYNIE ROAD  
DURANT, OK 74701  
PART OF NE/4  
SECTION 20 T6S R9E  
BRYAN COUNTY, OKLAHOMA



| SURVEY INFO.                                                                                                      | REVISION/ISSUE |
|-------------------------------------------------------------------------------------------------------------------|----------------|
| SURVEY ORDERED- 5-1-23                                                                                            | REVISION DATE  |
| 1.                                                                                                                |                |
| FIELDWORK DATE(S)- 5-17-23                                                                                        | 2.             |
| 3.                                                                                                                |                |
| SURVEY PLAT COMPLETE- 5-16-23                                                                                     | 4.             |
| DATE OF LAST VISIT 5-17-23                                                                                        |                |
| SCALE 1\"/>                                                                                                       | SHEET 1 OF 1   |
| CRD FILE- Z1785 R9ESECTION 20PREDUD ESTATES 9-3-20.2.dwg<br>DWG FILE-Z1785 R9ESECTION 20KEVIN HAMMOND 5-17-23.dwg |                |





# THE CITY OF DURANT

## Office of Community Development

Date: 08/01/2023  
To: Planning Commission  
Case: PC 2023-19  
From: Danielle O'Neal, Community Development Director  
Re: Sketch Plat request for property located near Peppernut Lane and Red Bud Lane

---

**Request:** Consider a request from Scott Goad for a Sketch Plat request for property located near Peppernut Lane and Red Bud Lane.

**Current Zoning:** R-3, General Residential

**Surrounding Properties:**

| Direction | Zoning | Use                              |
|-----------|--------|----------------------------------|
| North     | R-3    | Single-Family Residential/Vacant |
| West      | R-3    | Vacant                           |
| South     | R-3    | Single Family Residential        |
| East      | R-3    | Vacant                           |

**Lot Characteristics (Current Lot):**

|            |                            |
|------------|----------------------------|
| Width      | ~216 ft.                   |
| Depth      | ~190 ft.                   |
| Total Area | ~1 acres (~41,040 sq. ft.) |

**Applicant:** Scott Goad

**Background:** This parcel is a part of other parcels of land in this area that were sold without going through the platting process. Another owner came to the City looking at the possibility of building a house on their property, and discovered that the land in this area was not platted correctly. Therefore, they could not obtain a building permit until the parcel was platted. However, that particular parcel did not have street frontage, so they were waiting for the seller to have the whole area platted. Staff and past management worked with the seller to have these parcels platted, and worked to stop the sale of any land in that area that has not been platted correctly (February / March 2022). Staff has been working with the seller during this time, and the seller has yet to have a completed application. The seller was instructed about what needed to be completed on the plat to have it meet City Ordinances as well as what was needed to complete the application, but staff has not had any further contact with the seller since April 2023. Staff has tried to work with a couple of the buyers that have bought land in this area, and one of those is now wanting to have a conversation with Planning Commission and City Council on how to correct the issue at hand.

As a note, since these parcels were not legally platted, they are not supposed to be sold off, per state statute. Furthermore, staff has seen this issue pop up on several other properties throughout the city.

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

**Analysis:** The subject property is approximately a total of 1 acre as shown on the survey. This parcel is in the area where if approved could create a potential orphaned parcel that abuts this parcel to the West. This is also the area that when talking with the seller that a public street was going to be located possibly. This is in Rural Water 2's district, and the applicant does have a letter from Rural Water 2 stating they can supply water in this area. There is no city sewer in the area, so any lot created would need to work with the Oklahoma Department of Environmental Quality for septic/aerobic systems.

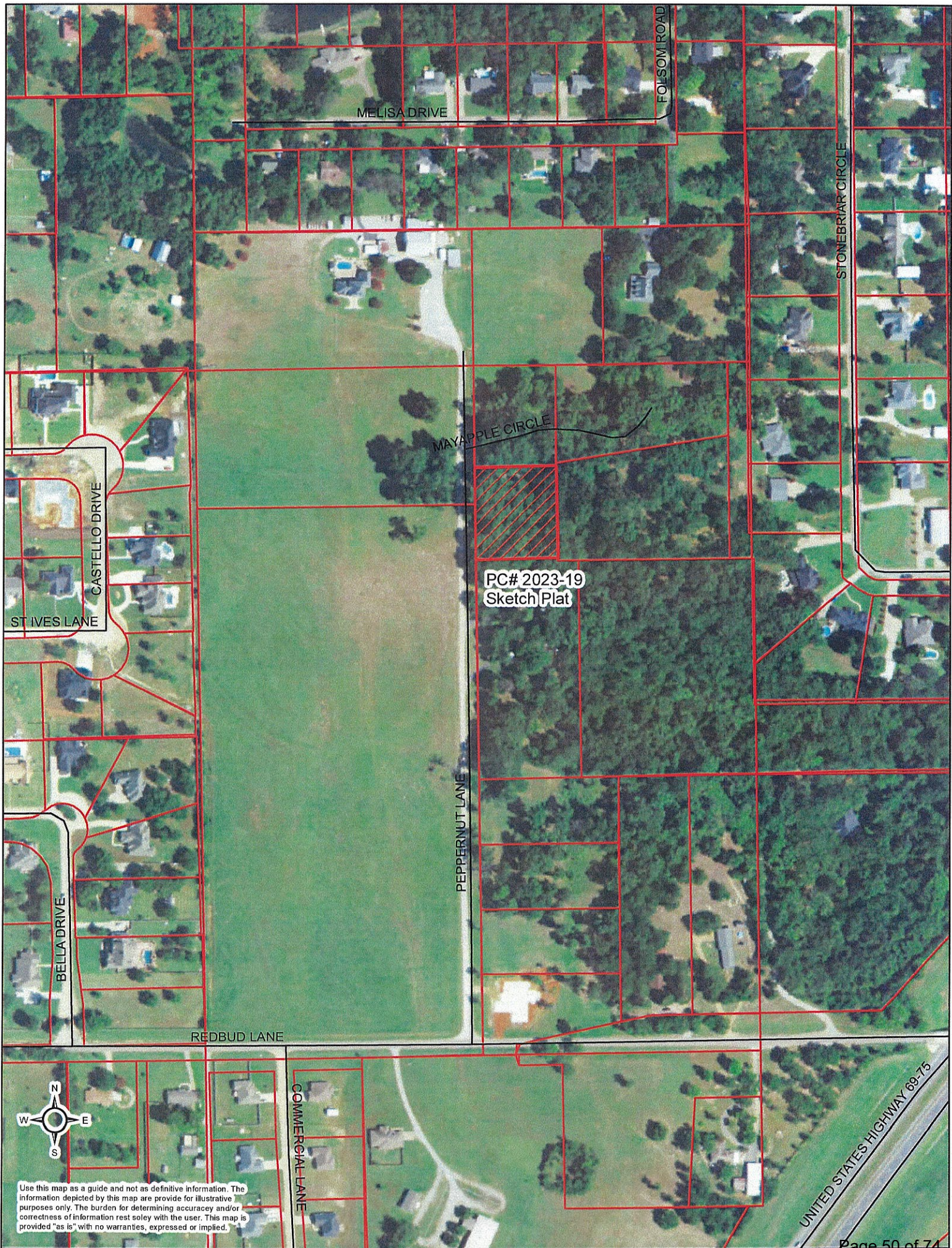
Staff has reviewed the request and most of them do not have a problem with what the applicant wants to do. However, we have not received a plat that meets what is required in City Ordinances as well as having concern about orphaning the parcel that is to the West of this parcel. The Community Development Director did not sign off since this survey does not meet ordinance requirements as well as having the concern of creating an orphaned piece of property.

The current Future Land Use map shows this area as low-density residential; therefore, this request is in line with the Future Land Use Map.

**Staff Recommendation:** Staff does not recommend approval of the sketch plat request, but does not have a problem with discussing this item.

**Required Action:** Hold a public hearing and recommend approval or denial of the Sketch Plat for property located near Peppernut Lane and Red Bud Lane. Any specific conditions imposed by the Commission should be read into any approval motion.





MELISA DRIVE

FOLSOM ROAD

STONEBRIAR CIRCLE

MAYAPPLE CIRCLE

PC# 2023-19  
Sketch Plat

PEPPERNIUT LANE

REDBUD LANE

CASTELLO DRIVE

ST IVES LANE

BELLA DRIVE

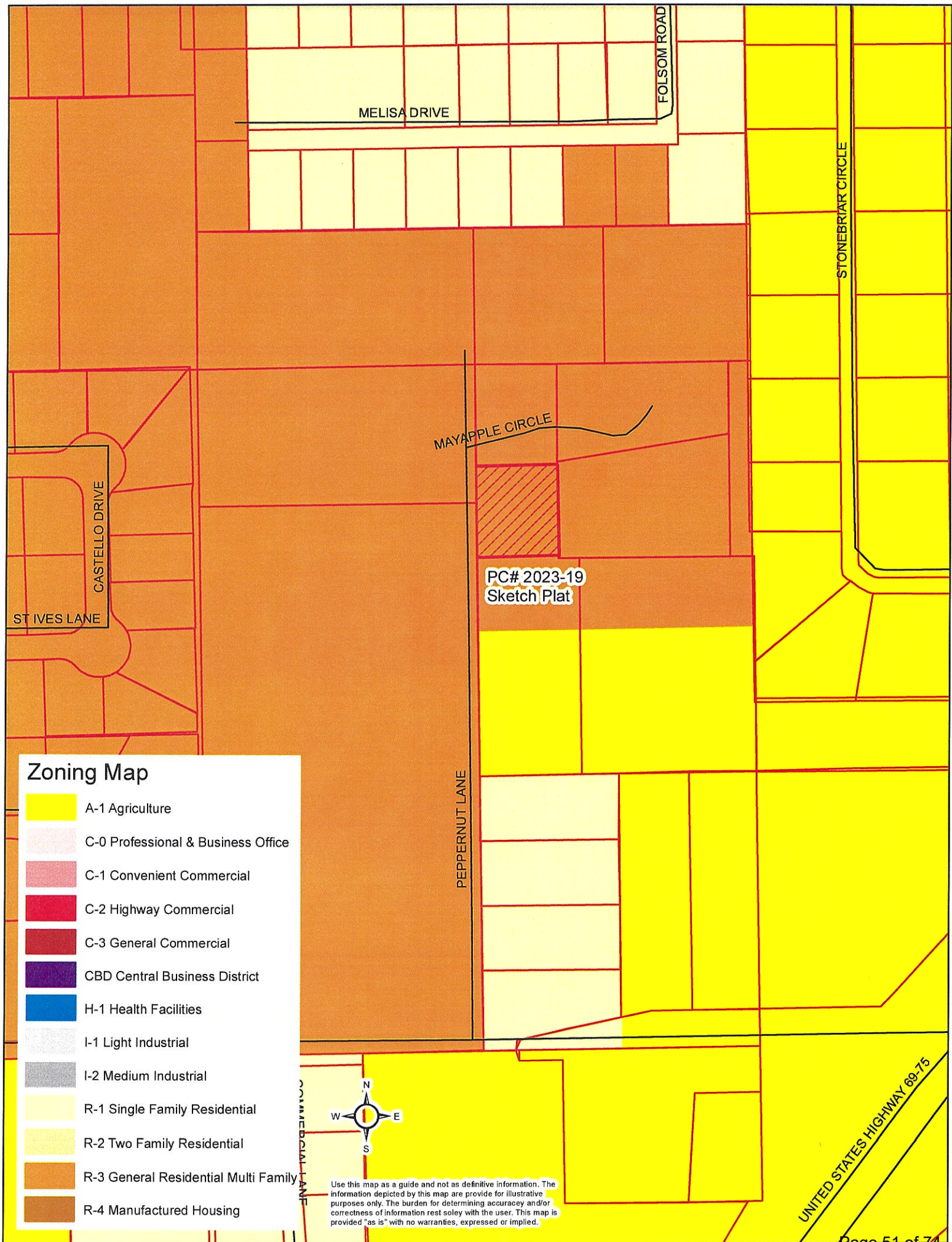
COMMERCIAL LANE

UNITED STATES HIGHWAY 69-75

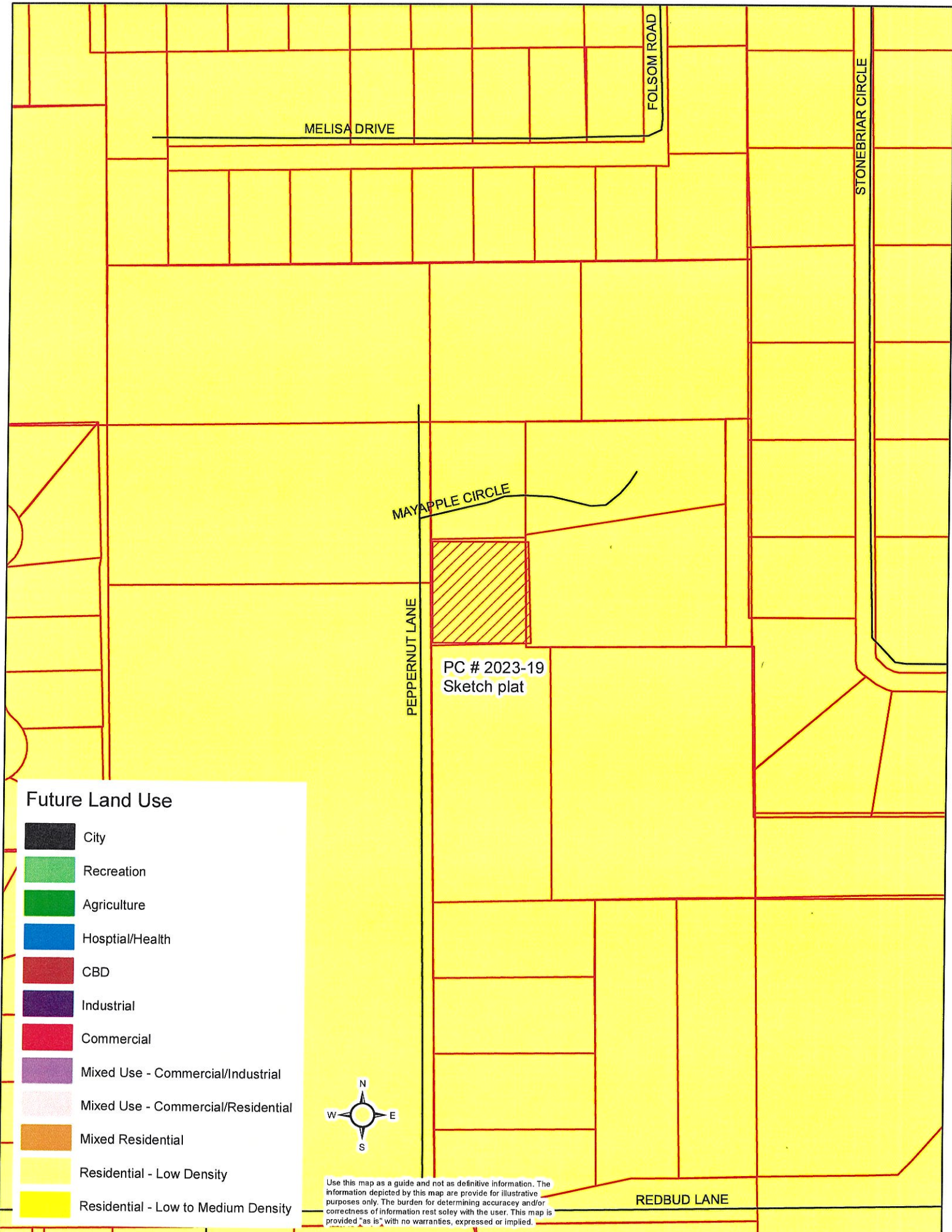


Use this map as a guide and not as definitive information. The information depicted by this map are provide for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is" with no warranties, expressed or implied.









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

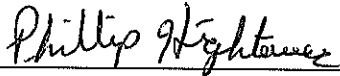


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# COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET

SCOTT GOAD PC2023-19 (Peppernut)

| Department                                    | Signature                                                                           | Date       | Notes                                                        |
|-----------------------------------------------|-------------------------------------------------------------------------------------|------------|--------------------------------------------------------------|
| Com Dev Director<br>Danielle O'Neal           |                                                                                     |            | read plat<br>concerns of orphaning the<br>parcel to the west |
| M&O<br>Randy Cantrell                         |    | 07-07-2023 | No comment                                                   |
| Streets<br>Carl Meade                         |    | 7-7-23     |                                                              |
| Public Works<br>Director<br>Phillip Hightower |  | 7-7-23     |                                                              |
| Fire Marshal<br>Brandon Brooks                |  | 7-7-23     | Site plan to conform<br>to IFC 2018 App.D                    |
| Building Official<br>Shawn Jackson            |  | 7-7-23     |                                                              |
| Engineer<br>Brandon Wall                      | - see attached -                                                                    |            |                                                              |



Danielle O'Neal &lt;doneal@durant.org&gt;

---

## August Planning Commission Plats & Lindenwoods question

---

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

Mon, Jul 10, 2023 at 8:52 AM

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

Cc: Kari Speers <kspeers@durant.org>

Danielle,

We have no comments except Lindenwood. I agree that the issue of public/private needs to be worked out. We weren't originally looking at this one with the idea that roads would be public. If that's the case, I would agree with everyone that we need to take a harder look at drainage. Table would be a good move I think until we can get more information and some decisions made.

Thanks,

**Brandon Wall, P.E., President**

*Wall Engineering, LLC*

*PO Box 1457, Durant, OK 74702 (mailing)*

*223 N Washington, Durant, OK 74701 (physical)*

*(c) 580.931.7998*

[Quoted text hidden]

# Subdivision/Plat Application

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

Petition # PC2023-19  
 Fee \$ 300.00  
 Expedited Fee \$ \_\_\_\_\_

## APPLICANT INFORMATION

|                                                        |                                   |                               |
|--------------------------------------------------------|-----------------------------------|-------------------------------|
| Name: <u>SCOTT GOAD</u>                                | Email: <u>scottgoad@gmail.com</u> | Phone #1: <u>404-248-7268</u> |
| Mailing Address: <u>P.O. BOX 5177</u>                  |                                   | Phone #2: _____               |
| City: <u>DURANT</u> State: <u>OK</u> Zip: <u>74702</u> |                                   | Fax #: _____                  |
| Applicant's Interest in Property: <u>HOMESITE</u>      |                                   |                               |

## SURVEYOR INFORMATION

|                                                         |                                                |                               |
|---------------------------------------------------------|------------------------------------------------|-------------------------------|
| Name: <u>BRYAN L. HINDMAN</u>                           | Email: <u>HINDMAN SURVEYING &amp; PLANNING</u> | Phone #1: <u>580-271-0033</u> |
| Mailing Address: <u>186841 NORTH 41ST ROAD</u>          |                                                | Phone #2: _____               |
| City: <u>ANTWERP</u> State: <u>OK</u> Zip: <u>74523</u> |                                                | Fax #: <u>800-937-3602</u>    |
| Surveyor Oklahoma License Number: <u>1768</u>           |                                                |                               |

## ENGINEER INFORMATION

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

## LAND INFORMATION

|                                                                  |                                                           |
|------------------------------------------------------------------|-----------------------------------------------------------|
| Legal Description: <u>SEE ATTACHED LEGAL DESCRIPTION TRACT 3</u> | Parcel Number: <u>0000-17-065-09C</u><br><u>-2-010-00</u> |
| Proposed Subdivision Name: _____                                 | Current Zone: <u>R-3</u>                                  |
| Proposed Use: <u>HOMESITE</u>                                    | Proposed Zone: <u>R-3</u>                                 |
| Current Property Owner's Name: <u>SCOTT GOAD</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: [Signature] Date: JUNE 15, 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<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | PC Recommendation<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | City Council Action<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | Ordinance # |
|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-------------|

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

Please describe the nature and operating characteristics of the proposed use:

SINGLE FAMILY RESIDENCE

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking:

CONCRETE DRIVEWAY FROM STREET TO GARAGE.

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

N/A. UTILITIES WILL BE CONSISTENT WITH NEIGHBORING PROPERTIES.

3. Traffic Impacts:

MINIMAL. SINGLE FAMILY RESIDENCE

4. Protection of Neighborhoods:

NEW CONSTRUCTION WILL IMPROVE THIS NEIGHBORHOOD. PROPERTY WILL BE BETTER MAINTAINED AS A HOME SITE VS. VACANT LAND.

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

ALL APPLICABLE DURING CCM PERMITS

Please list or describe any other reasons to support this application.

CITY RECENTLY INVESTED IN ROAD INFRASTRUCTURE (PAVING REDDENING) TO ALLOW FOR DEVELOPMENT. UTILIZING THIS PROPERTY AS A HOME SITE IS CONSISTENT WITH THOSE GOALS.

---

## Regarding land on Peppernut

---

**Scott Goad** <scottgoad@gmail.com>

Mon, Jul 10, 2023 at 5:55 PM

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

Yes, thank you.

Since the Planning & Zoning Commission exists to make recommendations to the City Council, we want to seek their experience and wisdom to resolve this ongoing dilemma, and to make a recommendation to the City Council, based on this hearing.

It's not in anyone's best interest to create single lot subdivisions within Durant City Limits, and this is the venue in which to have that discussion.

Thanks,  
Scott

[Quoted text hidden]

1-2022-741639 Book 1588 Pg: 5  
02/07/2022 3:01 pm Pg 0005-0005  
Fee: \$ 18.00 Doc: \$ 67.50  
Tammy Reynolds - Bryan County Clerk  
State of Oklahoma

**WARRANTY DEED  
STATUTORY INDIVIDUAL**



That **Tim C. Attaway A/K/A Timothy C. Attaway, a single person, (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 **Scott T. Goad, a single person, (the “Grantee”)**, the following described real property and premises situate in **Bryan County, State of Oklahoma**, to wit:

STATE OF OKLAHOMA  
Bryan County  
Documentary Stamps \$ 67.50

## Page 58 of 74



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

9077 U.S. Hwy 70  
P. O. Box 119  
Mead, OK 73449-0119  
Website: [www.ruralwater2.com](http://www.ruralwater2.com)

Telephone (580) 924-8517  
Fax (580) 931-3911  
(TDD/TTY) - 711  
Email: [rwd2@totalnet.us](mailto:rwd2@totalnet.us)

6/23/2023

Durant City Utility,

Scott Goad on Peppernut Lane 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](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to U.S. Dept. of Agriculture, Director, Office of Adjudication, 1400 Independence Ave., S.W., Washington, D.C. 20250-9410, or by fax to (202) 690-7442 or email at [program\\_intake@usda.gov](mailto:program_intake@usda.gov).

JOB. NO. 21-053  
 REVISED: 11-12-2021  
 REVISED: 11-15-2021  
 ROAD EASEMENT LOTS 2 AND 4  
 REVISED: 11-23-2021  
 REVISED: 12-2-2021

# BOUNDARY SURVEY PLAT

SHEET 1 OF 8

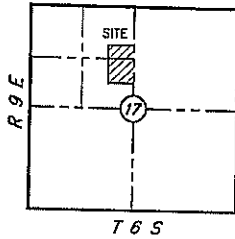
FOR: TIM ATTAWAY  
 SHOWING 6 TRACTS  
 PART OF THE E/2 NW/4  
 OF SECTION 17 T6S-R9E, I.B.M.  
 BRYAN COUNTY, OKLAHOMA

NORTHEAST CORNER  
 NORTHWEST QUARTER  
 (NORTH QUARTER CORNER)  
 SECTION 17 T6S-R9E I.B.M.  
 BRYAN COUNTY, OKLAHOMA  
 NO. 4 REBAR FOUND  
 AS PER O.C.C.R.

SEE SHEETS 2-7 FOR  
 LEGAL DESCRIPTIONS FOR  
 TRACTS 1-6

BASIS OF BEARING:  
 OKLAHOMA STATE PLANE  
 SOUTH ZONE  
 NAD (83) 2011

~ LOCATION MAP ~



FURNISHED LEGAL DESCRIPTIONS:

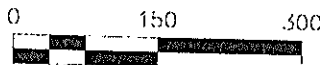
MORTGAGE COVER PAGE  
 BOOK 1574 PAGE 546

WARRANTY DEED  
 BOOK 1042 PAGE 540

PREVIOUS BOUNDARY SURVEY  
 BY BILLY PETTEIT

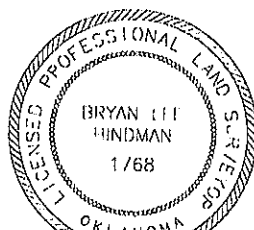
MORTGAGE INSPECTION REPORT  
 BY DAVID PAGE JR.  
 DATED: 12-12-06

~ SCALE: 1"=150' ~



~ LEGEND ~

- ⊙ NO. 4 REBAR SET
- X EXISTING FENCE LINE
- CALCULATED POINT
- ⊕ FOUND SECTION MONUMENTATION
- O.C.C.R. OKLAHOMA CERTIFIED CORNER RECORD
- ⊙ NO. 4 REBAR FOUND
- ⚡ INDICATES LINE NOT TO SCALE
- ▲ NO. 3 REBAR FOUND
- (M) MEASURED DISTANCE
- (D) DEED DISTANCE
- EDGE OF ROAD
- ▭ 10.0' WIDE EASEMENT



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

THIS PLAT AND SURVEY MEETS THE OKLAHOMA MINIMUM  
 STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED  
 BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR  
 PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

| LINE | BEARING       | DISTANCE | LINE | BEARING       | DISTANCE |
|------|---------------|----------|------|---------------|----------|
| L1   | N 07°38'33" W | 8.72'    | L6   | S 77°08'42" W | 26.77'   |
| L2   | N 82°16'09" W | 33.46'   | L7   | S 71°51'31" W | 26.81'   |
| L3   | N 73°03'53" W | 49.58'   | L8   | S 73°31'19" W | 49.33'   |
| L4   | N 87°19'37" W | 30.11'   | L9   | S 79°10'17" W | 42.55'   |
| L5   | S 88°22'45" W | 68.03'   | L10  | S 83°34'30" W | 16.99'   |

SOUTHEAST CORNER  
 NORTHWEST QUARTER  
 (CENTER QUARTER CORNER)  
 SECTION 17 T6S-R9E I.B.M.  
 BRYAN COUNTY, OKLAHOMA  
 NO. 4 REBAR FOUND  
 AS PER O.C.C.R.

**BRYAN L. HINDMAN**  
 PROFESSIONAL LAND SURVEYOR  
 186841 NORTH 4180 ROAD  
 ANTLERS, OKLAHOMA 74523  
 PH: 580-271-0033 FAX: 1-866-937-3602

OKLAHOMA PLS 1768  
 HINDMANSURVBYING@LIVE.COM

SURVEY NAME: TIM ATTAWAY TRACTS REVISED 3

DRAWN BY: BLH LAST FIELD VISIT: 11-7-2021 DATE: 12-2-2021

~ LEGAL DESCRIPTION TRACT 3 ~

I, BRYAN LEE HINDMAN, OKLAHOMA PROFESSIONAL LAND SURVEYOR NO. 1768, DOES HEREBY CERTIFY TO TIM ATTAWAY, THAT ON NOVEMBER 7, 2021, I STAKED ON THE GROUND, A TRACT OF LAND SITUATED IN THE EAST HALF OF THE NORTHWEST QUARTER, OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 9 EAST OF THE INDIAN BASE AND MERIDIAN, BRYAN COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A NO. 4 REBAR FOUND AT THE SOUTHEAST CORNER OF SAID E/2 NW/4; THENCE N 00°59'49" W, ALONG THE EAST LINE OF SAID E/2 NW/4, A DISTANCE OF 1181.45 FEET TO A POINT; THENCE S 89°07'58" W, A DISTANCE OF 55.00 FEET TO A NO. 3 REBAR FOUND; THENCE S 89°14'39" W, A DISTANCE OF 410.00 FEET TO A NO. 4 REBAR FOUND; THENCE N 00°53'04" W, A DISTANCE OF 15.00 FEET TO A NO. 4 REBAR SET FOR THE TRUE POINT OF BEGINNING;

THENCE S 89°26'58" W, A DISTANCE OF 199.00 FEET TO A NO. 4 REBAR SET;  
THENCE N 01°01'17" W A DISTANCE OF 219.26 FEET TO A NO. 4 REBAR SET;  
THENCE N 89°26'54" E A DISTANCE OF 199.52 FEET TO A NO. 4 REBAR SET;  
THENCE S 00°53'04" E A DISTANCE OF 219.26 FEET TO THE POINT OF BEGINNING. CONTAINING 1.00 ACRES, MORE OR LESS.

BASIS OF BEARING IS THE COURSE ALONG THE EAST LINE OF THE NORTHWEST QUARTER (N 00°59'49" W) OKLAHOMA STATE PLANE, SOUTH ZONE, NAD (83) 2011.

*BRYAN L. HINDMAN*

12-2-2021



LAST FIELD VISIT: 10-7-2021

BRYAN L. HINDMAN  
PROFESSIONAL LAND SURVEYOR  
186841 NORTH 4180 ROAD  
ANTLERS, OKLAHOMA 74523  
PH: 580-271-0033 FAX: 1-866-937-3602

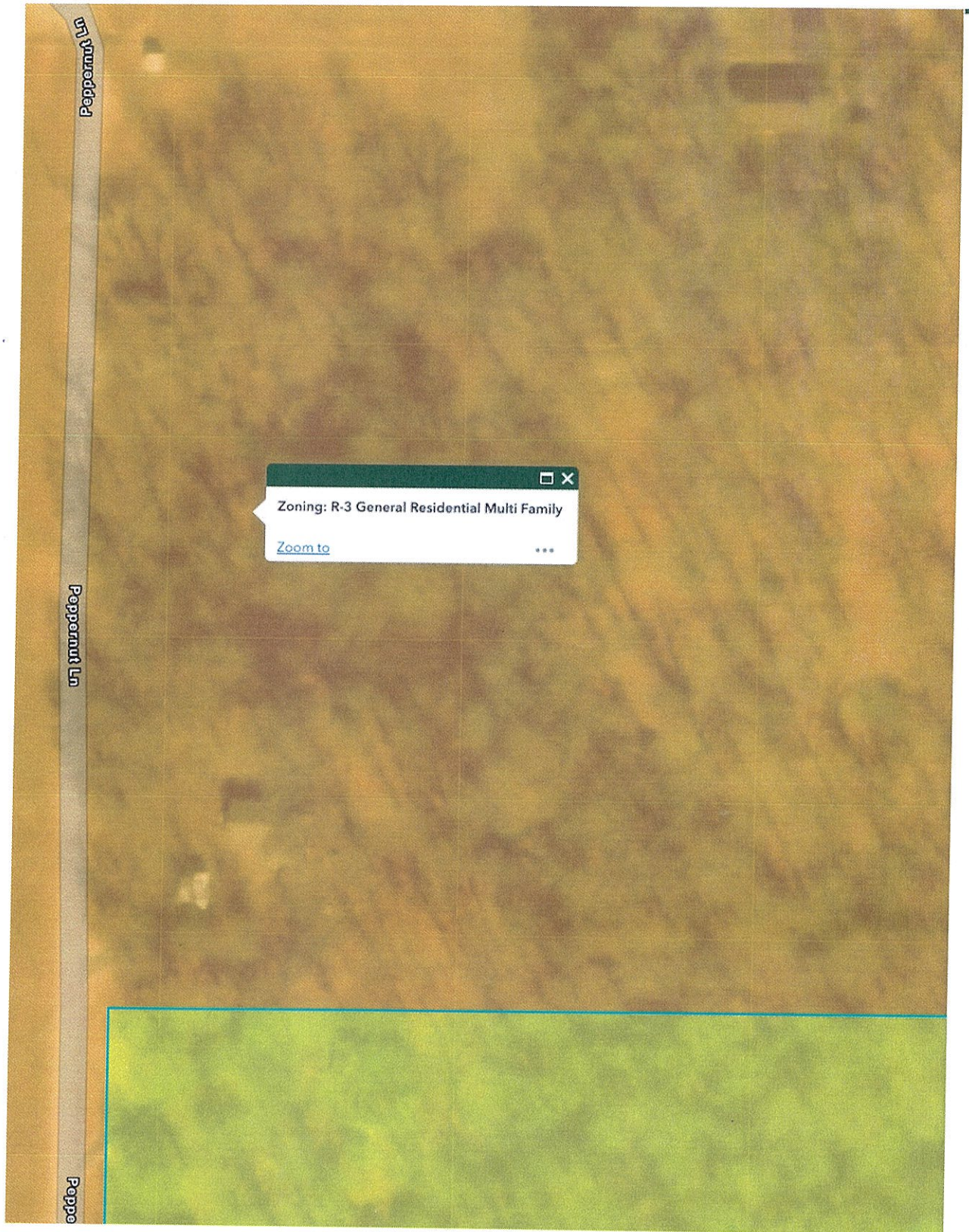
OKLAHOMA PLS 1768  
HINDMANSURVEYING@LIVE.COM

SURVEY NAME: TRACT THREE SHEET 4 REVISED

DRAWN BY: BLH

DATE: 12-2-2021







# THE CITY OF DURANT

## Office of Community Development

Date: 08/01/2023  
To: Planning Commission  
Case: PC 2023-20  
From: Danielle O'Neal, Community Development Director  
Re: Re-Plat Request for property located near Maxey Drive and Wilson Street

**Request:** Consider a request from Sills Family Trust, for a Re-Plat for property located near Maxey Drive and Wilson Street.

**Current Zoning:** R-1, Single-Family Residential

**Surrounding Properties:**

| Direction | Zoning    | Use                                |
|-----------|-----------|------------------------------------|
| North     | A-1       | Vacant (Floodplain)                |
| East      | R-1 / A-1 | Single Family Residential / Vacant |
| South     | R-1       | Single Family Residential / Vacant |
| West      | R-1       | Vacant                             |

**Lot Characteristics: (Current Lots)**

|            |                                                                                |
|------------|--------------------------------------------------------------------------------|
| Width      | ~244 ft. (North) / ~98 ft. (South)                                             |
| Depth      | ~348 ft. (North) / 146 ft. (South)                                             |
| Total Area | ~1.95 acres (~84,912 sq. ft.) (North)<br>~0.33 acres (~14,308 sq. ft.) (South) |

**Applicant:** Sills Family Trust

**Background:** A buyer for this property approached staff regarding filing for a re-plat request with the hopes of changing the lot lines of these two lots. The purpose is to have one lot that has the floodplain on it and another lot that would not. The applicant intends to build a single-family house.

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

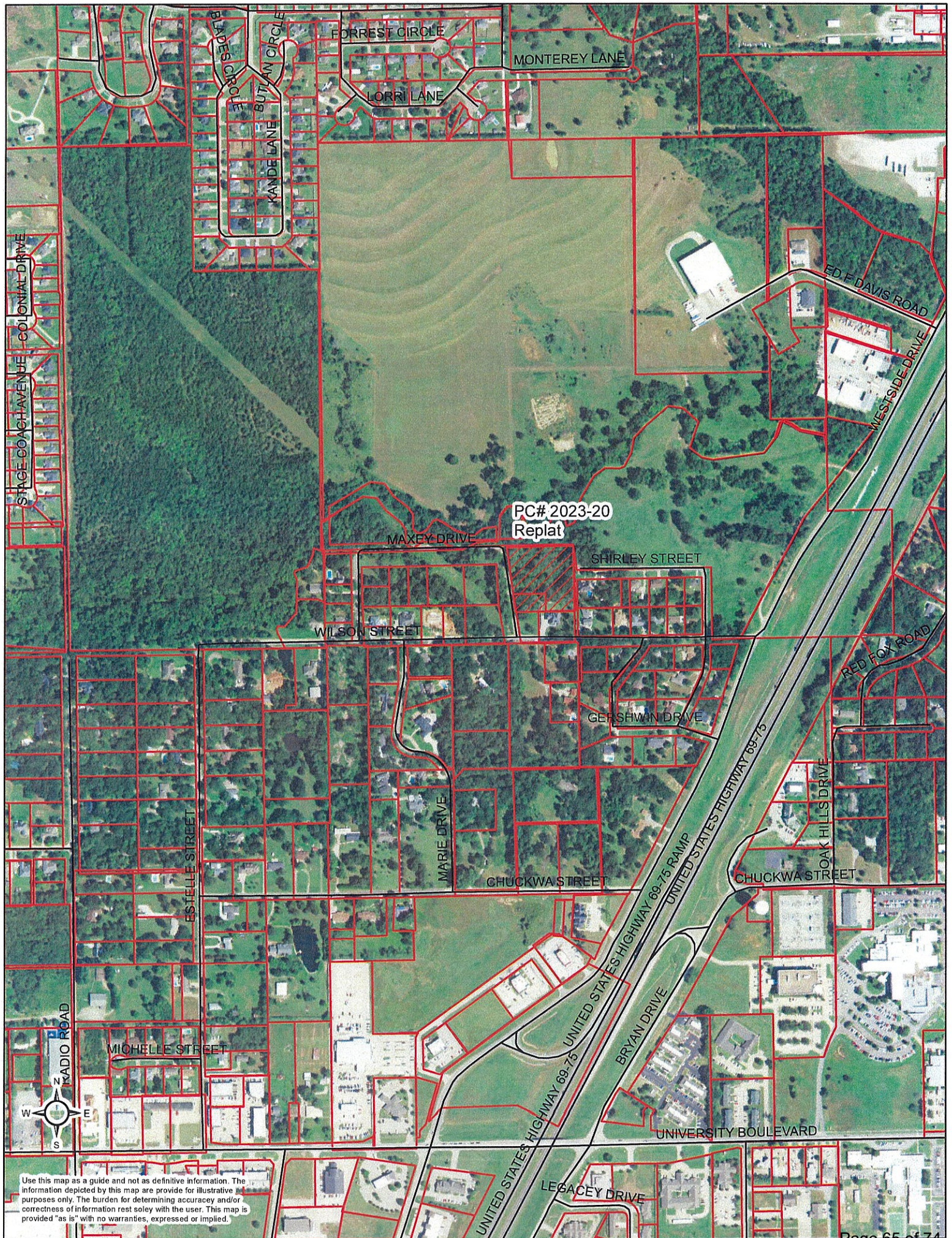
**Analysis:** The subject property is approximately 2 acres total. The plat shows the lot lines changing to where each lot would wind up being just over 1 acre apiece. Both of these lots will meet the lot size requirements for the existing zoning district. There appears to be city water and sewer in the area. The only comments from staff were that all structures would need to meet current setback requirements and the driveway would need to be a sealed surface. The fire marshal will ensure that all fire code regulations are met at the time the construction plans are submitted.

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

**Staff Recommendation:** Staff recommends approval of this Re-Plat request. All staff has signed off supporting the approval of the re-plat with no additional comments.

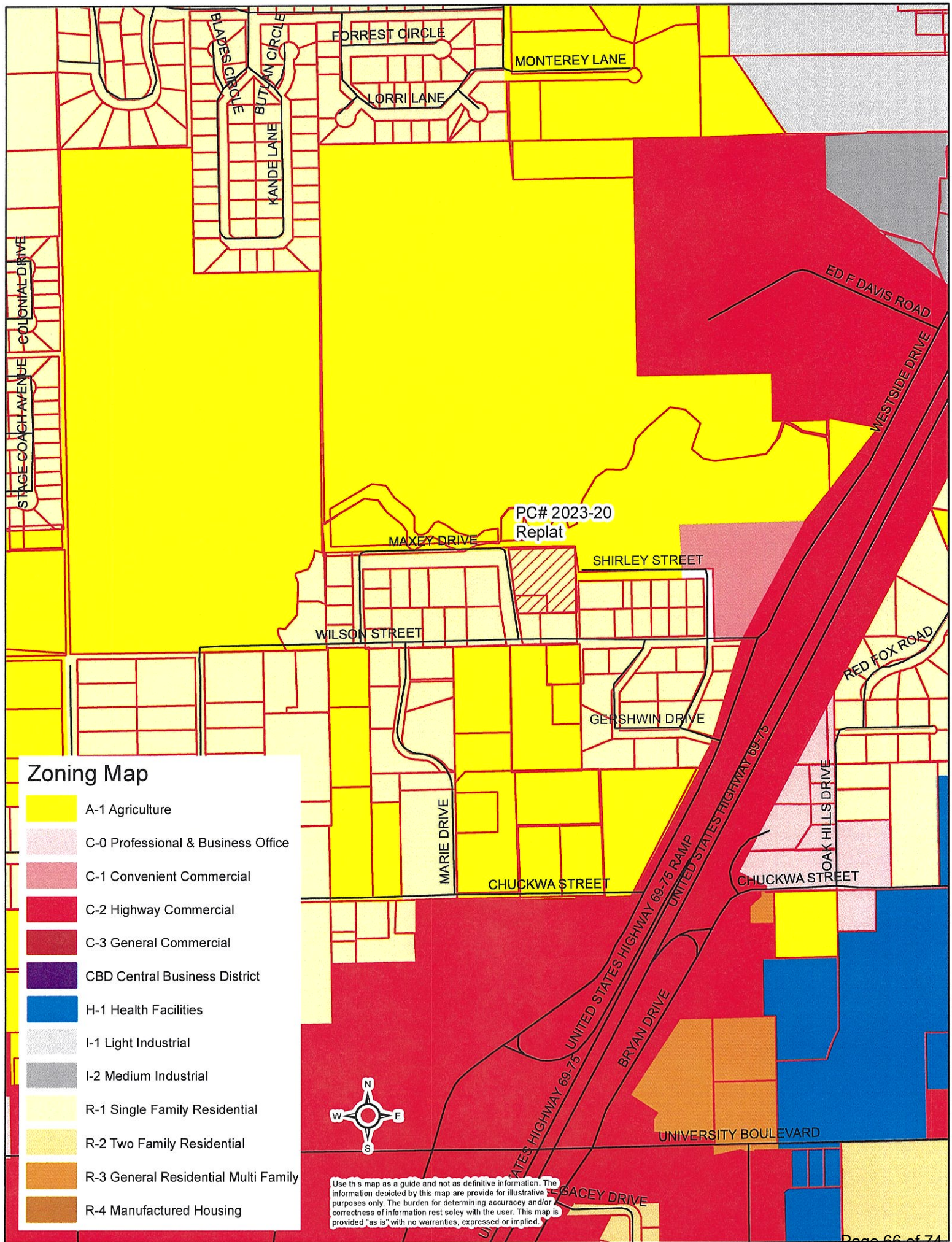
**Required Action:** Hold a public hearing and recommend approval or denial of the Re-Plat request for property located near Maxey Drive and Wilson Street. Any specific conditions imposed by the Commission should be read into any approval motion.



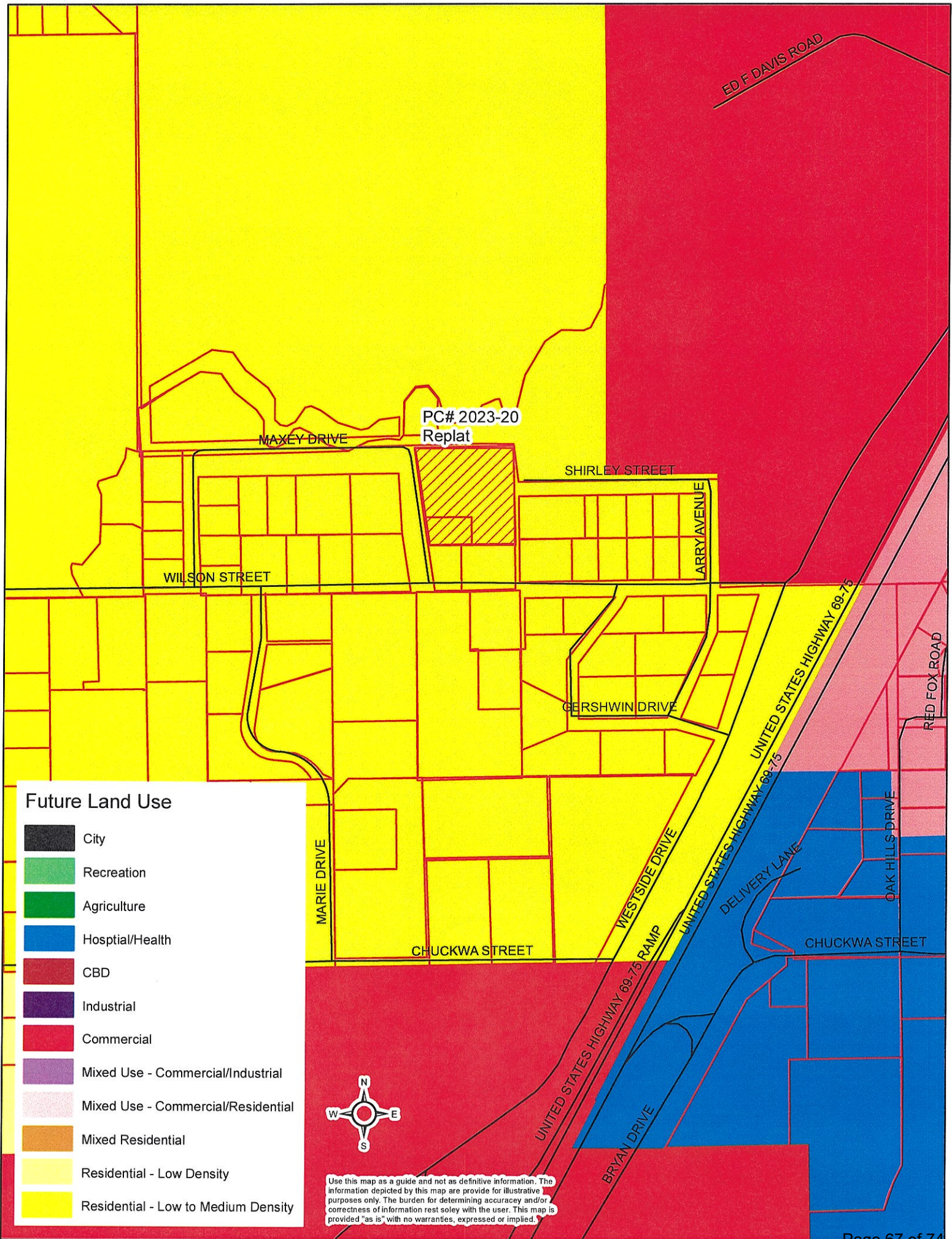


Use this map as a guide and not as definitive information. The information depicted by this map are provide for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is" with no warranties, expressed or implied.









PC# 2023-20  
Replat

- 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

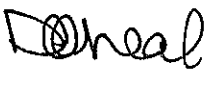
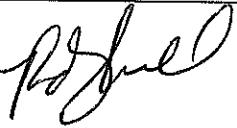
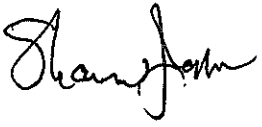


Use this map as a guide and not as definitive information. The information depicted by this map are provide for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is" with no warranties, expressed or implied.



# COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET

SILLS FAMILY TRUST PC2023-20 (Maxey Dr.)

| Department                                    | Signature                                                                                         | Date       | Notes                                                                               |
|-----------------------------------------------|---------------------------------------------------------------------------------------------------|------------|-------------------------------------------------------------------------------------|
| Com Dev Director<br>Danielle O'Neal           |                  | 7/1/23     |                                                                                     |
| M&O<br>Randy Cantrell                         |                  | 07-07-2023 | No comments                                                                         |
| Streets<br>Carl Meade                         |                  | 6/29/23    |                                                                                     |
| Public Works<br>Director<br>Phillip Hightower |                | 6-29-23    | Check to see if<br>The water is Rural<br>Water #2<br>7/10 - City water - no comment |
| Fire Marshal<br>Brandon Brooks                |                | 6/29/23    |                                                                                     |
| Building Official<br>Shawn Jackson            |                | 6-29-23    | No<br>comment                                                                       |
| Engineer<br>Brandon Wall                      | see attached  |            |                                                                                     |



Danielle O'Neal &lt;doneal@durant.org&gt;

---

## August Planning Commission Plats & Lindenwoods question

---

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

Mon, Jul 10, 2023 at 8:52 AM

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

Cc: Kari Speers <kspeers@durant.org>

Danielle,

We have no comments except Lindenwood. I agree that the issue of public/private needs to be worked out. We weren't originally looking at this one with the idea that roads would be public. If that's the case, I would agree with everyone that we need to take a harder look at drainage. Table would be a good move I think until we can get more information and some decisions made.

Thanks,

**Brandon Wall, P.E., President**

*Wall Engineering, LLC*

*PO Box 1457, Durant, OK 74702 (mailing)*

*223 N Washington, Durant, OK 74701 (physical)*

*(c) 580.931.7998*

[Quoted text hidden]



# Subdivision/Plat Application

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

Petition # PC2023-20  
 Fee \$ 302.00  
 Expedited Fee \$ \_\_\_\_\_

## APPLICANT INFORMATION

|                                                          |                                       |                               |
|----------------------------------------------------------|---------------------------------------|-------------------------------|
| Name: <u>Sills Family Trust</u>                          | Email: <u>RHulla@stephensills.com</u> | Phone #1: <u>917-968-0292</u> |
| Mailing Address: <u>819 Madison Ave Apt 5A</u>           | Phone #2: <u>212-988-6100</u>         |                               |
| City: <u>New York</u> State: <u>NY</u> Zip: <u>10065</u> | Fax #:                                |                               |
| Applicant's Interest in Property: <u>Owner</u>           |                                       |                               |

## SURVEYOR INFORMATION

|                                                        |                                       |                               |
|--------------------------------------------------------|---------------------------------------|-------------------------------|
| Name: <u>Page Surveying</u>                            | Email: <u>david@pagesurveying.net</u> | Phone #1: <u>580-920-9101</u> |
| Mailing Address: <u>319 N 3rd</u>                      | Phone #2:                             |                               |
| City: <u>Durant</u> State: <u>OK</u> Zip: <u>74701</u> | Fax #:                                |                               |
| Surveyor Oklahoma License Number: <u>1566</u>          |                                       |                               |

## ENGINEER INFORMATION

|                                   |        |           |
|-----------------------------------|--------|-----------|
| Name: <u>N/A</u>                  | Email: | Phone #1: |
| Mailing Address:                  |        | Phone #2: |
| City:                             | State: | Zip:      |
| Engineer Oklahoma License Number: |        | Fax #:    |

## LAND INFORMATION

|                                                                 |                                                                                 |
|-----------------------------------------------------------------|---------------------------------------------------------------------------------|
| Legal Description: <u>Lot 4+5 Block 1 Chuckwa Hills 2</u>       | Parcel Number: <u>Lot 4-A056-00-001-004-0-000-00</u><br><u>Acct # 070020186</u> |
|                                                                 | <u>Lot 5-A056-00-001-005-0-000-00</u><br><u>Acct # 070020187</u>                |
| Proposed Subdivision Name: <u>No Change to Subdivision Name</u> | Current Zone: <u>R1</u>                                                         |
| Proposed Use: <u>Residential</u>                                | Proposed Zone: <u>R1</u>                                                        |
| Current Property Owner's Name:                                  |                                                                                 |

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

X Applicant: Stephen Maxey Sills Date: 06/23/23

## Office Use Only

|                               |                           |                                    |          |
|-------------------------------|---------------------------|------------------------------------|----------|
| Date Filed                    | Date Payment Received     | Notification Mailed                | Comments |
| Initial                       | Initial                   | Date<br>Initial                    |          |
| Proof of Publication Received | Property Posting Verified | Comprehensive Plan Recommendations |          |
| Date Initial                  | Date Initial              |                                    |          |

|                                                                                           |                                                                                        |                                                                                          |             |
|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-------------|
| Staff Recommendation<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | PC Recommendation<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | City Council Action<br><input type="checkbox"/> Approve<br><input type="checkbox"/> 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 proposed use is R1. This application proposes a replat of two lots in order to build one single family residence.

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking:

Ample off street parking will be provided.

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

Screening will meet or exceed the ordinance requirements.

3. Traffic Impacts:

Minimal Traffic - This project will add one single family residence.

4. Protection of Neighborhoods:

There will be no change to the neighborhood other than adding one single family residence.

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

Residential building permits are required as well as the licensed trades.

Please list or describe any other reasons to support this application.

The reason for the replat is to plat these lots where lot 4 is completely out of the floodplain, so it can be improved, and lot 5 will contain the floodplain portion. This satisfies requirements regarding floodplain, City of Durant, Financing and Insurance.

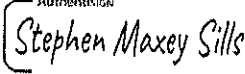
June 22, 2023

City of Durant

To Whom It May Concern:

I am the owner of Lots 4 and 5, Block 1, Chuckwa Hills II. I am selling two lots to Kevin Keener. Kevin has my permission to submit the Subdivision/Plat Application on my behalf.

If you have any questions, please feel free to call me at 917-968-0292.

Authentication  
 06/23/23

Stephen Stills

Sills Family Trust



RETURN TO:

John Sills  
822 N. 3rd  
Durant, OK 74701

217542  
3-1-00  
953, 1123, 412  
BGR

### WARRANTY DEED

#### KNOW ALL MEN BY THESE PRESENTS:

That JOHN LESLIE SILLS, JR. a/k/a JOHN L. SILLS and FRANCES ELOISE SILLS a/k/a ELOISE MAXEY SILLS, husband and wife, of the State of Oklahoma, parties of the first part, in consideration of the sum of Ten and More (\$10.00) Dollars, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto JOHN L. SILLS, JR. AND ELOISE MAXEY SILLS, and successors, TRUSTEES OF THE SILLS FAMILY TRUST under written agreement dated the 8th day of October, 1999, of Bryan County, State of Oklahoma, parties of the second part, the following described real property and premises situated in the County of Bryan, State of Oklahoma, to-wit:

CHUCKWA HILLS II to Durant, Bryan County, Oklahoma, being a part of the SE/4 of the SW/4 of Section 19, Township 6 South, Range 9 East;

(TRANSFER OF BENEFICIAL INTEREST -- NO REVENUE STAMPS REQUIRED)

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

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, their 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, LESS AND EXCEPT easements and rights-of-way of record.

SIGNED AND DELIVERED this 17TH day of January, 2000.

John Leslie Sills, Jr.  
JOHN LESLIE SILLS, JR. a/k/a JOHN L. SILLS

Frances Eloise Sills  
FRANCES ELOISE SILLS a/k/a ELOISE MAXEY SILLS

STATE OF OKLAHOMA

COUNTY OF BRYAN

SS. ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this 17th day of January, 2000, personally appeared JOHN LESLIE SILLS, JR. a/k/a JOHN L. SILLS and FRANCES ELOISE SILLS a/k/a ELOISE MAXEY SILLS, husband and wife, to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

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

Notary Public  
NOTARY PUBLIC

(SEAL)  
MY COMMISSION EXPIRES: 1/1/2003

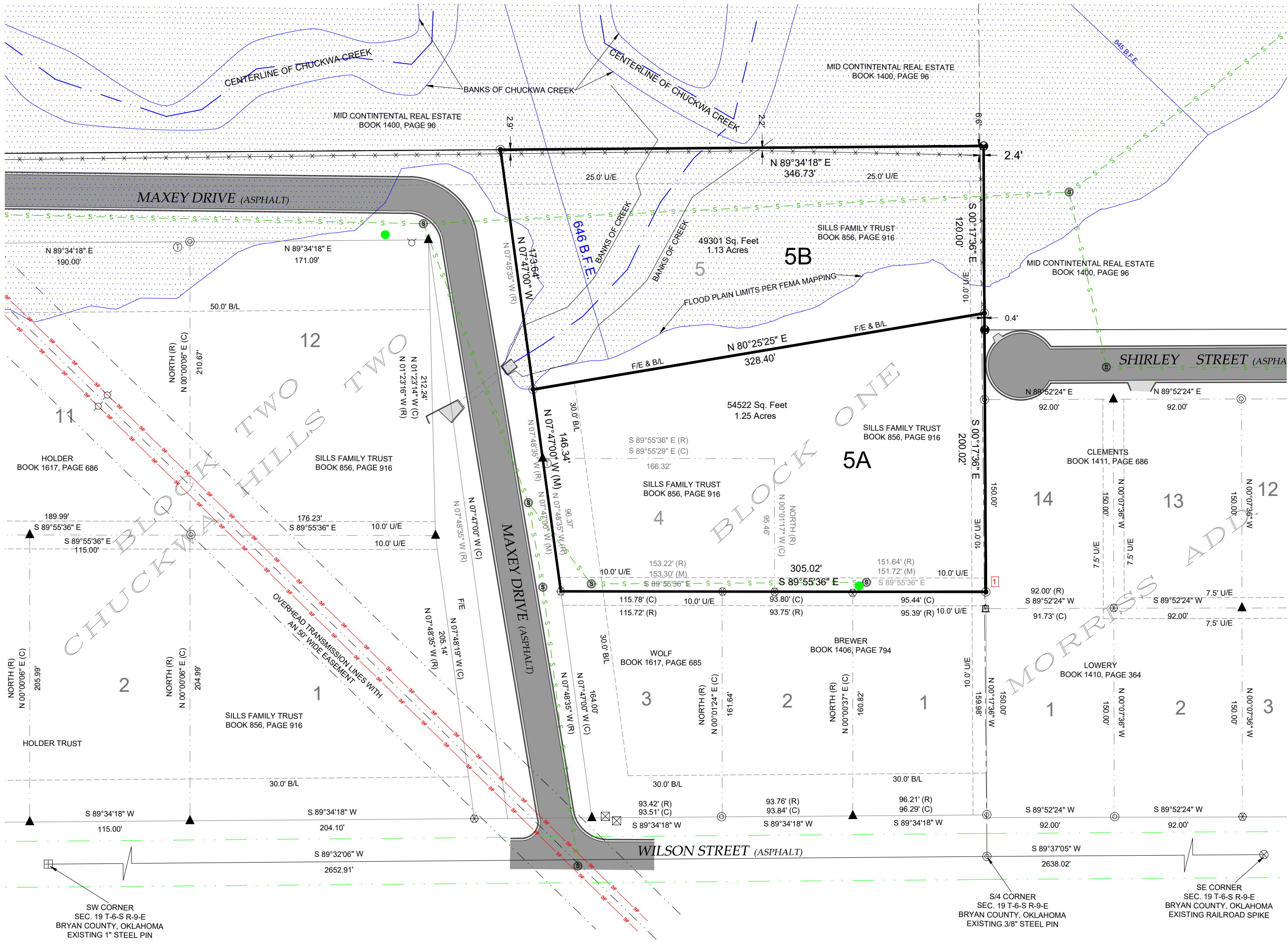
2000 SILLS DEED

1123



# REPLAT OF LOTS 4 AND 5 IN BLOCK 1, CHUCKWA HILLS II- PRELIMINARY PLAT

LOT 4 AND 5, BLOCK 1, CHUCKWA HILLS II, CITY OF DURANT, BRYAN COUNTY, STATE OF OKLAHOMA.



## G.P.S. BASE POINT INFORMATION:

NAD 83 COORDINATE  
NORTHING: 250899.196  
EASTING: 2454617.586  
ELEV: 691.52

WGS 84 DATA  
LAT: 34°00'43.73463" N  
LONG: 96°22'45.08429" W  
HT: 604.564

## SURVEYOR'S NOTES:

1. SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT, COMMITMENT OR TITLE OPINION, NO EASEMENTS OR RIGHTS-OF-WAY WERE PROVIDED TO THE SURVEYOR.
2. ALL MEASUREMENTS AS SHOWN ARE IN GRID (SPC NAD 83) BEARINGS, AND GROUND DISTANCES UNLESS OTHERWISE NOTED.
3. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
4. ALL LATITUDE AND LONGITUDE COORDINATES ARE SHOWN AS WGS 84, DERIVED BY DIFFERENTIAL G.P.S. BASED ON DURANT CONTROL NETWORK BY PAGE SURVEYING AND ASSOCIATES, AND GRID (SPC NAD 83) BEARINGS.
5. THIS FIRM WAS NOT CONTRACTED TO RESEARCH EASEMENTS OR ENCUMBRANCES OF RECORD. A LIMITED ATTEMPT WAS MADE TO RESEARCH COUNTY RECORDS OR OTHER RECORD OFFICES, THEREFORE EASEMENTS AFFECTING THE SUBJECT TRACT MAY NOT BE REFLECTED BY THIS PLAT.
6. SUBJECT PROPERTY IS SUBJECT TO STATUTORY SECTION LINE ROAD EASEMENTS WHERE APPLICABLE AND AS SHOWN ON SURVEY PLAT.
7. SURVEY PERFORMED USING RTK GPS, COORDINATE SYSTEM IS WGS 84. ALL BEARING ARE REFERENCED TO BEARING OF N 89°34'18"E ALONG THE NORTH LINE OF CHUCKWA HILLS II ADDITION TO THE ORIGINAL TOWN OF DURANT, OKLAHOMA, AS DETERMINED BY THE ORIGINAL PLAT OF RECORD AS RECORDED IN THE BRYAN COUNTY CLERK'S OFFICE, BRYAN COUNTY, OKLAHOMA.
8. 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

## DOCUMENTS USED IN PREPARATION FOR THIS SURVEY:

1. ORIGINAL PLAT OF CHUCKWA HILLS II, RECORDED SEPTEMBER 9, 1994 IN BOOK 856, PAGE 916, IN BRYAN COUNTY CLERK'S OFFICE.
2. OTHER VARIOUS ADJOINING RECORD DEEDS AS SHOWN ON PLAT.

## FLOOD STATEMENT

SUBJECT PROPERTY LIES WITHIN ZONE AE (BASE FLOOD ELEVATIONS DETERMINED), AS DEFINED BY F.E.M.A. MAP# 40013C0170E. DATED: JUNE 2, 2011.

## LEGEND

- EXISTING 3/8" STEEL PIN
- EXISTING 1/2" STEEL PIN
- EXISTING 1/2" STEEL PIN (CRAIGE)
- EXISTING 1" STEEL PIN
- TRANSMISSION LINE POLE
- SET 1/2" PIN WITH ID CAP (D PAGE JR LS 1566)
- EXISTING RAILROAD SPIKE
- EXISTING 1/2" PIN WITH ID CAP (D PAGE JR LS 1566)
- ELECTRIC PEDESTAL
- SANITARY MANHOLE
- FIRE HYDRANT
- TELEPHONE PEDESTAL
- SEWER CLEANOUT
- CALCULATED CORNER (NOTHING SET)
- OVERHEAD ELECTRIC TRANSMISSION LINE
- BARBED WIRE FENCE
- WATER LINE
- SANITARY SEWER
- FIBER OPTIC
- UNDERGROUND TELEPHONE
- INDICATES A LINE NOT TO SCALE
- 16.5 STATUTORY RIGHT OF WAY
- CONCRETE
- ASPHALT
- FLOOD ZONE AE

## OWNERS CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS That SILL'S FAMILY TRUST, being the sole owner of the parent tract in fee simple of the following described property respectively, to wit:

ORIGINAL PARENT TRACT:  
ORIGINAL SUB-DIVISION OF CHUCKWA HILLS II, FILED IN BOOK 856, PAGE 916 OF THE RECORDS IN THE OFFICE OF THE COUNTY CLERK, BRYAN COUNTY, OKLAHOMA.

I DAVID L. PAGE, JR. HEREBY CERTIFY THAT THIS REPLAT, PREPARED UNDER MY DIRECT SUPERVISION, ACCURATELY REPRESENTS THE FOLLOWING TRACT OF LAND TO WIT:

## EXISTING LEGAL DESCRIPTION:

BOOK 856, PAGE 916, ORIGINAL PLAT OF CHUCKWA HILLS II, LOT 4 AND LOT 5 IN BLOCK 1

**BASIS OF BEARINGS:** ASSUMED BEARING OF N 89°34'18"E ALONG THE NORTH LINE OF CHUCKWA HILLS II ADDITION TO THE ORIGINAL TOWN OF DURANT, OKLAHOMA, AS DETERMINED BY THE ORIGINAL PLAT OF RECORD AS RECORDED IN THE BRYAN COUNTY CLERK'S OFFICE, BRYAN COUNTY, OKLAHOMA.

We hereby offer for dedication to the public, the use of public facilities and easements, except for private streets and other amenities specified and shown on the replat of **Replat of Lots 4 and 5 in Block 1, Chuckwa Hills II** to Durant, Oklahoma. The transaction of this irrevocable offer of dedication shall be consummated upon the execution of the Durant City Planning Commission Approval and Acceptance, but subject to the the restrictive covenants referenced below. For the purpose of providing an orderly development of **Replat of Lots 4 and 5 in Block 1, Chuckwa Hills II** to Durant, Oklahoma, do hereby provide restrictive covenants filed in Book \_\_\_\_\_ Page \_\_\_\_\_ of the records in the office of the County Clerk, Bryan County, Oklahoma.

DATE SIGNED \_\_\_\_\_ OWNER, MEMBER/MANAGER DATE SIGNED \_\_\_\_\_ OWNER, MEMBER/MANAGER

STATE OF OKLAHOMA  
COUNTY OF BRYAN

Before me, the undersigned Notary Public, In and for said county and state on this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_\_, personally appeared \_\_\_\_\_ to me known to be the identical person who subscribed his name as the maker thereof to the foregoing instrument as the OWNER and acknowledges to me that he executed the same as his free given under my hand and seal the day and year listed above written, therein set forth.

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

My commission expires: \_\_\_\_\_ Notary Public

## LICENSED LAND SURVEYORS CERTIFICATE

I, David Lee Page, Jr., a Licensed Land Surveyor in the State of Oklahoma, do hereby state that this replat of **Replat of Lots 4 and 5 in Block 1, Chuckwa Hills II**, an addition to the City of Durant, Oklahoma, is based on 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 set with PLS 1566 ID cap unless otherwise shown on plat. This replat is subject to easements and/or rights-of-way, covenants, and other restrictions, either recorded, or implied, thereof.

*David L. Page Jr.*  
David L. Page, Jr. P.L.S. 1566  
6-26-23  
Date

STATE OF OKLAHOMA  
COUNTY OF BRYAN

Before me, the undersigned, a Notary Public in and for said County and State on this 9th day of March, 2023, personally appeared David L. Page, Jr. 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.

*Justin Allende*  
Notary Public  
AUGUST 26, 2026  
Commission Expiration

## 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 **Replat of Lots 4 and 5 in Block 1, Chuckwa Hills II**, 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.

\_\_\_\_\_  
County Treasurer

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 \_\_\_\_\_ executed the same as \_\_\_\_\_ free and voluntary act and deed for the uses and purposes therein set forth.

\_\_\_\_\_  
Notary Public  
Commission Expiration \_\_\_\_\_

## 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.

\_\_\_\_\_  
Environmental Specialist

## 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 \_\_\_\_\_.

\_\_\_\_\_  
County Clerk

## 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 replat of **Replat of Lots 4 and 5 in Block 1, Chuckwa Hills II**, on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Chairman  
\_\_\_\_\_  
Secretary

## 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 replat of **Replat of Lots 4 and 5 in Block 1, Chuckwa Hills II**, 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

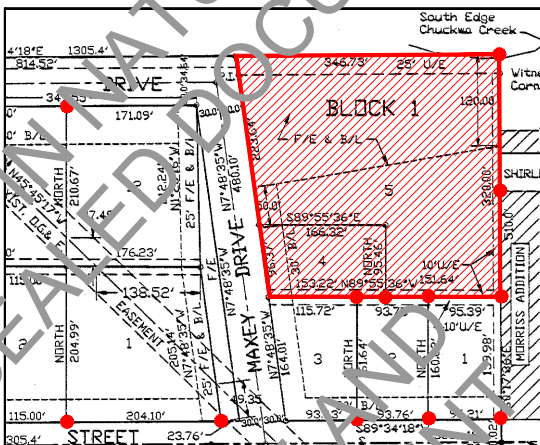


319 S. 3RD AVENUE  
DURANT, OKLAHOMA 74701  
(580) 250-0101 OFF (580) 259-0176  
FAX (580) 250-0121

DAVID L. PAGE JR. © 2023  
PROFESSIONAL LAND SURVEYOR #1566  
C.A. #1999, EXPIRES 6-30-2025

## REPLAT OF LOTS 4 AND 5 IN BLOCK 1, CHUCKWA HILLS II- PRELIMINARY PLAT

LOT 4 AND 5, BLOCK 1, CHUCKWA HILLS II, CITY OF DURANT, BRYAN COUNTY, STATE OF OKLAHOMA.



• DENOTES CONTROL MONUMENT  
LOCATION MAP

LOCATION  
LOT 4 AND 5, BLOCK 1, CHUCKWA HILLS II, CITY OF DURANT, BRYAN COUNTY, OKLAHOMA

0' 60' 120'



-BASIS OF BEARINGS-  
ASSUMED FROM EXISTING RECORD PLAT (N 89°34'18"E)  
ASSUMED BEARING OF N 89°34'18"E ALONG NORTH LINE OF CHUCKWA HILLS II ADDITION TO THE ORIGINAL TOWN OF DURANT, 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.
- CONTROLING CORNERS FOR THIS SURVEY ARE AS SHOWN ON THE LOCATION MAP.
- THIS IS NOT A VALID SURVEY WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND ORIGINAL SEAL.
- PORTIONS OF THIS PLAT ARE IN COLOR, PHOTO AND ELECTRONIC COPIES OF THIS PLAT MAKE 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 LAND SURVEYORS FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

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

| REVISION/ISSUE | DATE |
|----------------|------|
|                |      |
|                |      |
|                |      |
|                |      |

SURVEY INFORMATION  
FIELD WORK PERFORMED: 6-1-23 TO 6-23-23  
DATE OF LAST SITE VISIT: 6-23-23  
PLAT COMPLETED: 6-26-23

Project Name and Address  
LOT 4 AND 5, CHUCKWA HILLS II  
KEVIN KEENER  
DURANT, OKLAHOMA

DATE 6-26-23

SCALE 1" = 60'

SHEET NO. 1 OF 1