

Planning Commission Minutes  
July 28, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 4:40 p.m. on July 22, 2022.)

11. (CE-1080) Application by Garrett and Company, LLC, to close NW 106th Street between N Western Avenue and N Francis Avenue and portions of the alleyway in Block Seven (7) and Block Six (6) of the Homedale Addition located at 928 NW 107th Street. Ward 7.

The applicant was present. There were no protestors present.

Amended Technical Evaluation:

1. ~~A perpetual easement for water and wastewater, drainage, storm water, sidewalks, and traffic controls systems (collectively "City Systems") are hereby expressly reserved until such time as plans have been approved by the Public Works and Utilities departments respectively, which may include provision of new easements, as necessary, and/or individual easements being released.~~
2. ~~Prior to City Council consideration, applicant must provide a survey showing the location of all utilities within the platted Utility Easement.~~
3. ~~Eliminate the west half of Frances Avenue from the application.~~

**RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION, AS AMENDED.**

MOVED BY LAFORGE, SECONDED BY POWERS

AYES: CLAIR, POWERS, FRALEY, PRIVETT, HINKLE, GOVIN,  
PENNINGTON, LAFORGE;

ABSENT: NOBLE



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**July 28, 2022**

**Item No. IV. 11.**

**(CE-1080)** Application by Garrett and Company, LLC, to close NW 106<sup>th</sup> Street between N Western Avenue and N Francis Avenue and portions of the alleyway in Block Seven (7) and Block Six (6) of the Homedale Addition located at 928 NW 107<sup>th</sup> Street. Ward 7.

**I. GENERAL INFORMATION**

**A. Contacts**

**Applicant's Representative**

David M. Box and Paul Lefebvre  
Williams, Box, Forshee and Bullard, P.C.  
(405) 232-0080  
dmbox@wbfbllaw.com

**B. Case History**

This is a new application. This application is a companion to proposal for SPUD-1425 to be presented on this hearing date.

**C. Reason for Request**

The purpose of this request is to consolidate the property abutting the closure to facilitate a commercial development of adjacent property.

**D. Existing Conditions**

**1. Comprehensive Plan Land Use Typology Area:** Urban - Low Intensity (UL)

UL applies to the least intensively developed areas of the city that still receive urban water, sewer, police, park and fire services. Development in this area should provide horizontal integration of land uses, connectivity within and between individual developments, and design that facilitates pedestrian and bicycle transportation.

**2. Zoning and Land Use**

	Subject Site	North	East	South	West
<b>Zoning</b>	R.O.W.	R-1 / SPUD	PUD-203	R-1 / R-4	R-4
<b>Land Use</b>	Unimproved	Retail	RV Storage	Undeveloped	Apartments

**II. REVIEW COMMENTS**

This application was submitted to the following agencies, departments, and/or divisions for review and comment. An asterisk indicates that the agency, department, and/or division responded with no adverse comments.

**A. Outside Agencies**

- 1. Oklahoma City-County Health Department (OCCHD)**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Water Resources Board (OWRB)**
- 5. Oklahoma City School District**
- 6. Oklahoma Department of Transportation (ODOT)**
- 7. Oklahoma Natural Gas (ONG)**
- 8. Oklahoma Electric Cooperative (OEC)**

**B. City Departments**

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire \***
- 4. Information Technology/Geographic Support**
- 5. Parks and Recreation**
- 6. Police**
- 7. Public Works**

**a. Engineering**

**Storm Sewer Availability**

- 1) Reserve easement for future infrastructure.**

**8. Streets, Traffic and Drainage Maintenance**

**9. Stormwater Quality Management**

**10. Traffic Management**

**11. Utilities**

**a. Engineering**

**Wastewater Availability**

- 1) An existing 8" wastewater main(s) is in the easement. Relocation required or maintain access.

**b. Solid Waste Management**

No Solid Waste Management services needed.

**c. Water/Wastewater Quality**

**Water Availability**

- 1) An existing 6" water main(s) is in easement. Relocation required or maintain access.

**12. Planning**

**a) Comprehensive Plan Policies**

- Maintain, create, and enhance a street network that is highly connected to increase number of viable commercial locations and the effectiveness of the transportation system.
- Limit number of dead-end streets and cul-de-sacs.
- Protect existing traditional street grid and reconnect it where possible.
- Provide vehicular connectivity between adjacent developments.
- Keep existing alleys open and functional.

**b) Plan Conformance Considerations**

The subject sites are generally located east of N Western Ave and south of W Hefner Road. The public rights-of-way requested to be closed include unimproved right-of-way of NW 106<sup>th</sup> Street (platted as Pfeiffer Avenue), Francis Ave, and portions of alleys located within Blocks 6 and 7 of the Homedale Addition.

The comprehensive plan calls for keeping streets and alleys open, reconnecting the street grid where possible, creating a highly connected street system, and does not generally support closing public rights-of-way. This application is associated with SPUD-1425 which contemplates commercial and light industrial development on scattered sites surrounding the closure requests. The SPUD exhibit indicates the closure of NW 106<sup>th</sup> Street/Pfieffer Ave is requested so a private drive can be installed to serve the new development. The requested closure of Francis Avenue includes only the west side of the street, leaving 25 feet of right-of-way on the east, less than the standard street right-of-way. The closures of the alleys do not appear to affect connectivity.

While none of the rights-of-way requested to be closed are currently improved, Francis Ave is a public street that is paved to serve the apartments on the south and provides a stub north that, if improved, could provide access to N Hefner Ave. Closing NW 106<sup>th</sup> Street and half of Francis Ave for private development would eliminate the chance of reconnecting the street grid as called for in the comprehensive plan.

#### **IV. STAFF RECOMMENDATION**

*Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Planning Commission decisions require a vote of five members to approve or deny an item. The Planning Commission may consider in its decision-making process any additional relevant information presented at the public hearing by the public, applicant, and/or City departments.*

##### **Approval of the application subject to the following technical evaluation:**

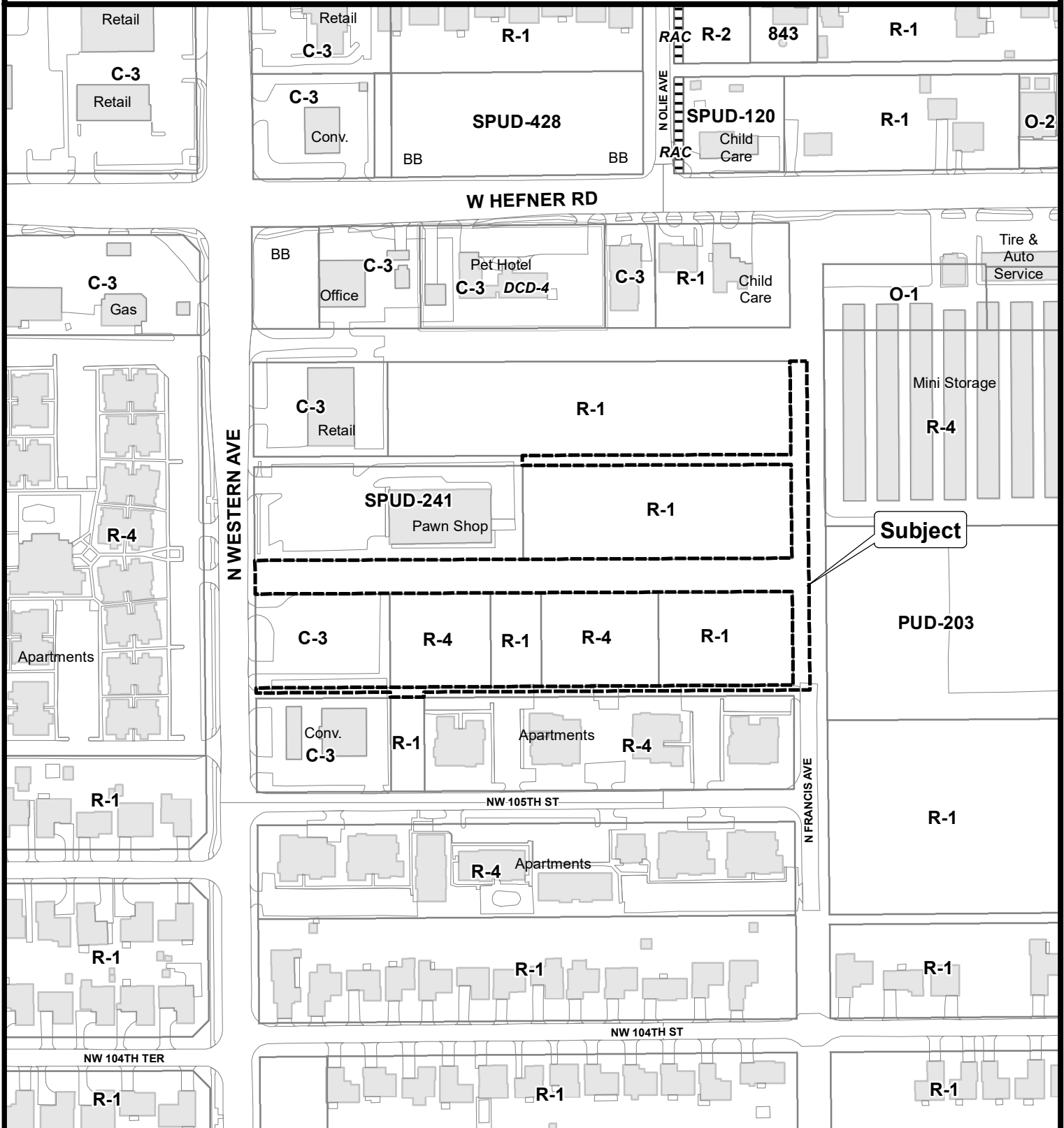
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taj

**Case No: CE-1080**

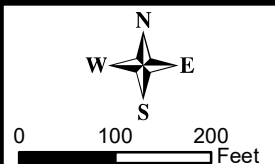
**Applicant: Garrett and Company, LLC**

**Location: 928 NW 107th St.**



The City of  
OKLAHOMA CITY

## Application for Closing Public Way or Easement

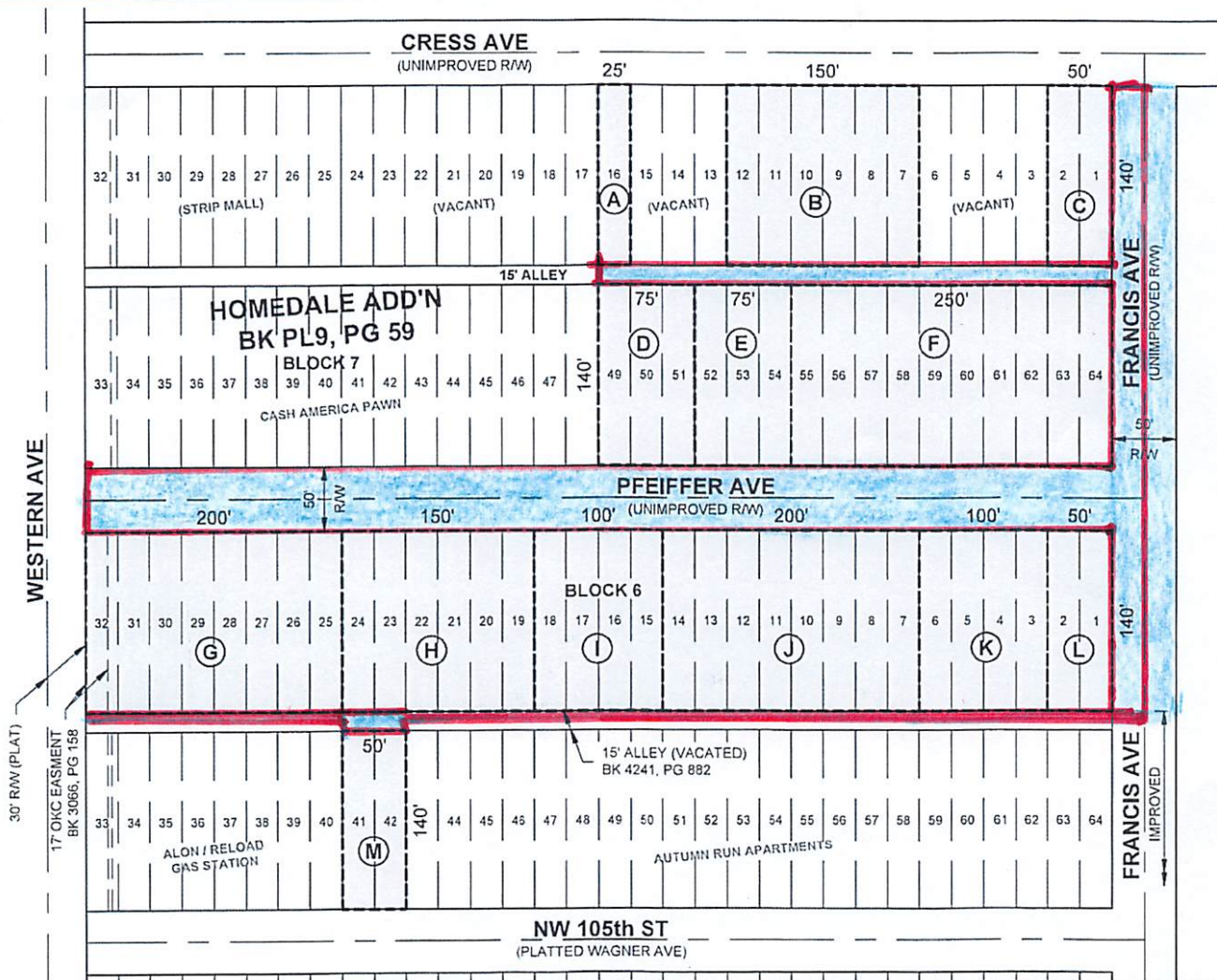
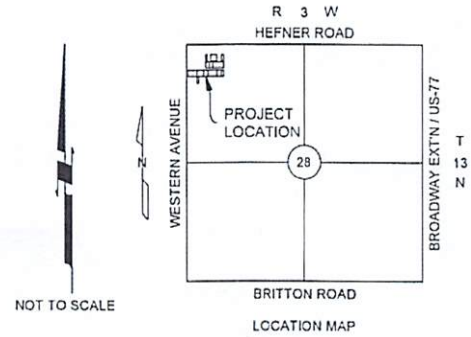






# ATTACHMENT "A-2"

ID	Block / Lot(s)	Zoning	Parcel	Record Owner	Deed Info
A	Blk 7 Lot 16	R-1	R130845180	Garrett and Company, L.L.C.	Bk 14450, Pg 1826
B	Blk 7 Lots 7-12	R-1	R130845040	Garrett and Company, LLC	Bk 9802, Pg 126
C	Blk 7 Lots 1&2	R-1	R130844900	Garrett & Company, L.L.C.	Bk 5302, Pg 1337
D	Blk 7 Lots 49-51	R-1	R130846200	Industry Property and Design, LLC	Bk 15070, Pg 276
E	Blk 7 Lots 52-54	R-1	R130846230	Industry Property & Design, LLC	Bk 14819, Pg 967
F	Blk 7 Lots 55-64	R-1	R130846300	Garrett and Company, L.L.C.	Bk 11199, Pg 1749
G	Blk 6 Lots 25-32	C-3	R130844501	Mac's Car Washes, LLC	Bk 10700, Pg 2004
H	Blk 6 Lots 19-24	R-4	R130844480	Mac's Car Washes, LLC	Bk 10700, Pg 2004
I	Blk 6 Lots 15-18	R-1	R130844410	Industry Property & Design, LLC	Bk 14819, Pg 967
J	Blk 6 Lots 7-14	R-4	R130844340	Industry Property & Design, LLC	Bk 14819, Pg 967
K	Blk 6 Lots 3-6	R-1	R130844270	Garrett and Company, LLC	Bk 9802, Pg 126
L	Blk 6 Lots 1&2	R-1	R130844200	Garrett and Company, L.L.C.	Bk 14974, Pg 1063
M	Blk 6 Lots 41&42	R-1	R130844610	Garrett & Company, L.L.C.	Bk 4439, Pg 1331



ACAD FILE: S:\Civil\3D\proj\5274\5274 - Zoning Exhibit.dwg 5/17/2022 8:35 AM Nate Harkin  
XREFS LOADED: 5274-bdy\_nls.dwg 3052-bdy-mj.dwg

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Proj. No.: 5274  
Date: 5-17-22  
Scale: N.T.S.

**GARRETT & COMPANY, LLC, et al.**  
OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA  
**HOMEDALE PROPERTY**



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Certificate of Authorization #1486 Exp. Date 05-30-2023  
• ENGINEERS • SURVEYORS • PLANNERS •



**Case No: CE-1080**

**Applicant: Garrett and Company, LLC**

**Location: 928 NW 107th St.**



Aerial Photo from 2/2020



The City of  
OKLAHOMA CITY

## Application for Closing Public Way or Easement



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Feet