



MEMORANDUM

Council Agenda
Item No. XI. E
5/23/2023

The City of OKLAHOMA CITY

TO: Mayor and City Council

FROM: Craig Freeman, City Manager

Ordinance on final hearing (emergency) recommended for approval (CE-1074) to close the west seven feet of the east 15-foot north-south utility easement in Lot Fifteen (15), Block Six (6), of Highland Pointe Phase One (1), 2502 NW 129th Street. Ward 7.

Planning Commission recommended approval subject to the Summary of Technical Evaluation.
Deferred from August 30, September 27, October 11 and 25, November 8 and 22, December 6, 2022, January 17, February 28, March 28, April 11, and May 9, 2023.

Applicant:

David Box, Williams, Box, Forshee, & Bullard, P.C.
Timbercraft Homes, LLC

Purpose:

The purpose of this request is to resolve an encroachment of a recently constructed single-family home.

Background:

On June 23, 2022, the Planning Commission recommended approval of the application subject to the amended Summary of Technical Evaluation contained in the Planning Commission staff report, as follows. The applicant has agreed with these conditions and the survey has been received.

Amended Technical Evaluation:

1. A perpetual easement to the portion of the platted utility easement to be closed will be reserved to the minimum extent necessary for access to and maintenance of the public utilities currently located within the platted utility easement as identified by the survey conducted pursuant to Technical Evaluation 2 except that the portion of the home that is in the utility easement will be required to retain any 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.

Revenue:

An application fee of \$1500 was deposited in the General Fund – General Operations – Charges – Planning Fees (001-0001-42100003).

Protests:

None

Previous Action:

The Ordinance was introduced July 19, 2022 and set for final hearing August 30, 2022. Appropriate notice was published and mailed.

Review:

Planning Department

Recommendation: Ordinance be adopted.