

Planning Commission Minutes
March 28, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 4:37 p.m. on March 22, 2024)

4. (CE-1119) Application by Bird in Hand Development, LLC, to close a 20-foot north-south public utility easement within Shadowlake Village Section VII, located west of South Pennsylvania Avenue, and north of SW 104th Street. Ward 5.

Technical Evaluation:

1. Prior to City Council consideration, applicant must provide a topographic survey showing the location of all utilities, with dimensions, within the proposed closure area.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL SUBJECT TO TECHNICAL EVALUATION.

MOVED BY NEWMAN, SECONDED BY GOVIN

AYES: CLAIR, POWERS, MEEK, PRIVETT, NEWMAN, GOVIN, PENNINGTON,
NOBLE, LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
March 28, 2024

Item No. IV. 4.

(CE-1119) Application by Bird in Hand Development, LLC, to close a 20-foot north-south public utility easement within Shadowlake Village Section VII, located west of South Pennsylvania Avenue and north of SW 104th Street. Ward 5.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

Clint Morris
Civil and Environmental Consultants, Inc
405-246-9411
cmorris@cecinc.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to close a 20-foot sanitary sewer easement for a proposed new subdivision.

D. Existing Conditions

1. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-1870	R-4	PUD-1870	C-3	PUD-1870
Land Use	Undeveloped	Residential	Undeveloped	Commercial	Undeveloped

2. 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.)

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. School District (Moore)**
- 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 (OCFD) ***
- 4. Information Technology/Geographic Support (IT/GIS)**
- 5. Parks and Recreation**
- 6. Police (OCPD)**
- 7. Public Works**
 - a. Engineering**

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 plans must include new executed and recorded easements, as necessary, before each individual easement may be released.

Storm Sewer Availability

- 1) The applicant must provide a survey showing the location of all utilities and other improvements within the existing 20-foot utility easement located in Lot 1, Block 9 of the Shadowlake Village Section VII Addition.
- 2) Any existing utility easements are to be reserved until such time as any existing utilities are relocated, removed, or abandoned in place in accordance with the City of Oklahoma Municipal Code.

8. Streets, Traffic and Drainage Maintenance

9. Stormwater Quality Management

10. Traffic Management *

11. Utilities

a. Wastewater Comments

1. Currently have a 10-in main in proposed closure.
2. SD-2022-00063 has been submitted for review and approval showing the relocation and new easement for the relocation. This closure can be done after the construction and completion of SD-2022-00063.

b. Water Comments

1. No objection.

c. Solid Waste Management

No Solid Waste Management services needed.

12. Planning

a. Comprehensive Plan Conformance Considerations

The application seeks to close a portion of the 20-foot utility easement within a previously approved subdivision (Shadowlake Village Section VII) in order to develop a new subdivision (The Colony at Shadowlake). The subject site is generally located north of SW 104th Street and west of South Pennsylvania

Avenue. The sewer line is planned to be relocated. No issues related to the comprehensive plan were identified.

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. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning Commission. 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.

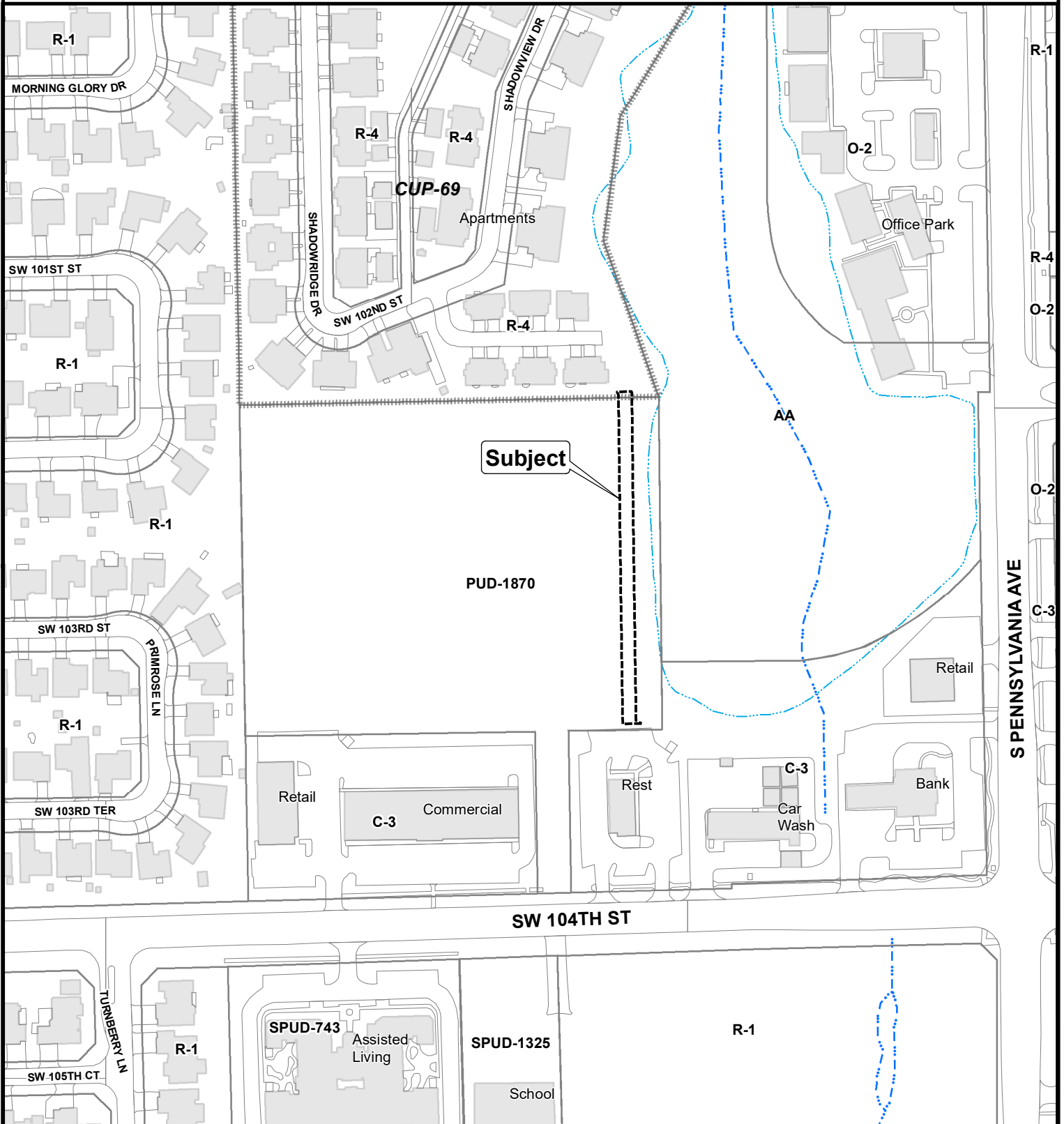
Approval of the application subject to the following Technical Evaluation:

1. Prior to City Council consideration, applicant must provide a topographic survey showing the location of all utilities, with dimensions, within the proposed closure area.

gjh

Case No: CE-1119

Applicant: Bird in Hand Development, LLC



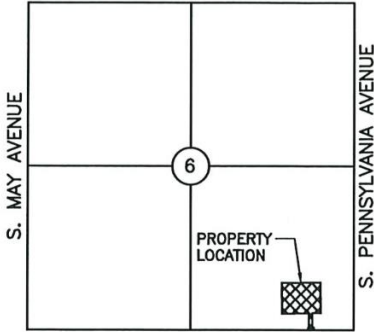
The City of
OKLAHOMA CITY

Application for Closing Public Way or Easement



0 100 200
Feet

R 3 W
S.W. 89th STREET



S.W. 104th STREET

SCALE: 1"=2000'
LOCATION MAP

LEGAL DESCRIPTION

A VACATION OF PUBLIC UTILITY EASEMENT LYING IN THE SOUTHEAST QUARTER (SE/4) OF SECTION SIX (6), TOWNSHIP TEN (10) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, CITY OF OKLAHOMA CITY, CLEVELAND COUNTY, OKLAHOMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SAID SECTION 6;
THENCE SOUTH 88°12'51" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 557.41 FEET;
THENCE NORTH 01°47'09" WEST A DISTANCE OF 290.15 FEET TO A POINT ON AN EXISTING 20 FOOT WIDE EASEMENT TO THE CITY OF OKLAHOMA CITY, AS SHOWN ON THE PLAT OF SHADOWLAKE VILLAGE SEC. VII, BOOK PL 20 PG. 134, OF THE CLEVELAND COUNTY CLERK'S OFFICE, ALSO BEING THE POINT OF BEGINNING;

SAID VACATION OF PUBLIC UTILITY EASEMENT THEN BEING DESCRIBED BY THE FOLLOWING METES AND BOUNDS:

THENCE SOUTH 88°51'09" WEST A DISTANCE OF 28.13 FEET;
THENCE NORTH 00°49'15" WEST A DISTANCE OF 269.47 FEET;
THENCE NORTH 00°39'17" WEST A DISTANCE OF 221.85 FEET;
THENCE NORTH 19°37'19" WEST A DISTANCE OF 4.97 FEET;
THENCE SOUTH 88°51'09" EAST A DISTANCE OF 21.09 FEET;
THENCE SOUTH 19°37'19" EAST A DISTANCE OF 1.63 FEET;
THENCE SOUTH 00°39'17" EAST A DISTANCE OF 225.16 FEET;
THENCE SOUTH 00°49'15" EAST A DISTANCE OF 264.31 FEET;
THENCE SOUTH 59°22'43" EAST A DISTANCE OF 9.53 FEET TO THE POINT OF BEGINNING.

SAID VACATION OF PUBLIC UTILITY EASEMENT CONTAINS 9,944.67 SQUARE FEET OR 0.2283 ACRES, MORE OR LESS.

N 88°51'09" E 21.09'
N 19°37'19" W 4.97'
S 19°37'19" E 1.63'
S 00°39'17" E 225.16'

N 00°39'17" W 221.85'

EXIST. 20' U/E (AS SHOWN ON PLAT OF SHADOWLAKE VILLAGE VII)

N 00°49'15" W 269.47'

S 88°51'09" W 28.13'

N 01°47'09" W 290.15'

SW 104th ST.

S 88°12'51" W 557.41'

COMMON AREA "A"
LOT A, SHADOWLAKE
VILLAGE, SEC. VII
(BK. PL 20 PG. 134)



NORTH

SCALE: 1" = 100'



Civil & Environmental Consultants, Inc.
4700 Gaillardia Parkway · Suite 101 · Oklahoma City, OK 73142
Ph: 405.246.9411
www.cecinc.com

C.A. #6429 EXP. 6/30/24

THE COLONY AT SHADOWLAKE
PARTIAL EASEMENT VACATION OF
EXIST. 20' U/E AS SHOWN ON
SHADOWLAKE VILLAGE SEC. VII

DATE:	02/09/24	DRAWN BY:	TLB
DWG SCALE:	1"=100'	CHECKED BY:	DLR
PROJECT NO:	317-372	APPROVED BY:	DLR

DRAWING NO.:

ATTACHMENT
"A"

Case No: CE-1119

Applicant: Bird in Hand Development, LLC



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Application for Closing
Public Way or Easement



0 100 200
Feet