

Planning Commission Minutes
January 23, 2025

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:30 a.m. on January 21, 2025)

6. (CE-1136) Application by 6828 Melrose LLC, to close a portion of a 20-foot storm drainage easement, east of North Rockwell Avenue, and south of Melrose Lane. Ward 3.

The applicant was present. There were no protesters present.

RECOMMENDED APPROVAL.

MOVED BY MEEK, SECONDED BY POWERS

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



STAFF REPORT
The City of Oklahoma City
Planning Commission
January 23, 2025

Item No. IV. 6.

(CE-1136) Application by 6828 Melrose LLC, to close a portion of a 20-foot storm drainage easement, located east of North Rockwell Avenue, and south of Melrose Lane. Ward 3.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

David Box
Box Law Group
(405) 652-0099
david@boxlawgroup.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to resolve a building encroachment at the rear of the property.

D. Existing Conditions

1. Zoning and Land Use

| | Subject Site | North | East | South | West |
|-----------------|---------------------|--------------|-------------|--------------|-------------|
| Zoning | I-2/SPUD-63 | I-1 | I-2 | I-2 | I-2/SPUD-63 |
| Land Use | Warehouse | Auto Repair | Warehouse | Warehouse | Warehouse |

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.

Comprehensive Plan Land Use Typology Layer: Heavy Industrial (HI)

The HI layer is intended to accommodate industrial uses that are difficult to integrate with less intense uses due to negative impacts from heavy traffic, noise, or odors. This designation simultaneously concentrates heavy industrial users away from existing or future neighborhoods while preserving prime land that has attributes

crucial to industrial businesses, such as proximity to highway and rail access. Small-scale industrial, office, or commercial development may be appropriate provided that it supports or buffers industrial uses and does not restrict future industrial development by fragmenting parcels.

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 Western Heights**
- 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 *

8. Stormwater Quality Management

9. Traffic Services

10. Utilities

a. Wastewater Comments *

b. Water Comments *

c. Solid Waste Management

No Solid Waste Management services needed.

12. Planning

a. Comprehensive Plan Conformance Considerations

The subject site is within the Urban - Low Intensity (UL) Area and within an area where the Heavy Industrial (HI) Layer applies.

The application seeks to close a portion of a 20-foot storm drainage easement. The site is located south of Melrose Lane and north of the Union Pacific rail line, east of North Rockwell Avenue. In this case the storm drainage easement is requested to be closed for encroachment of a constructed, 1-story metal warehouse at the rear of the property. The closure of the easement does not have plan~~o~~ck implications and would not affect connectivity in the area.

IV. STAFF RECOMMENDATION

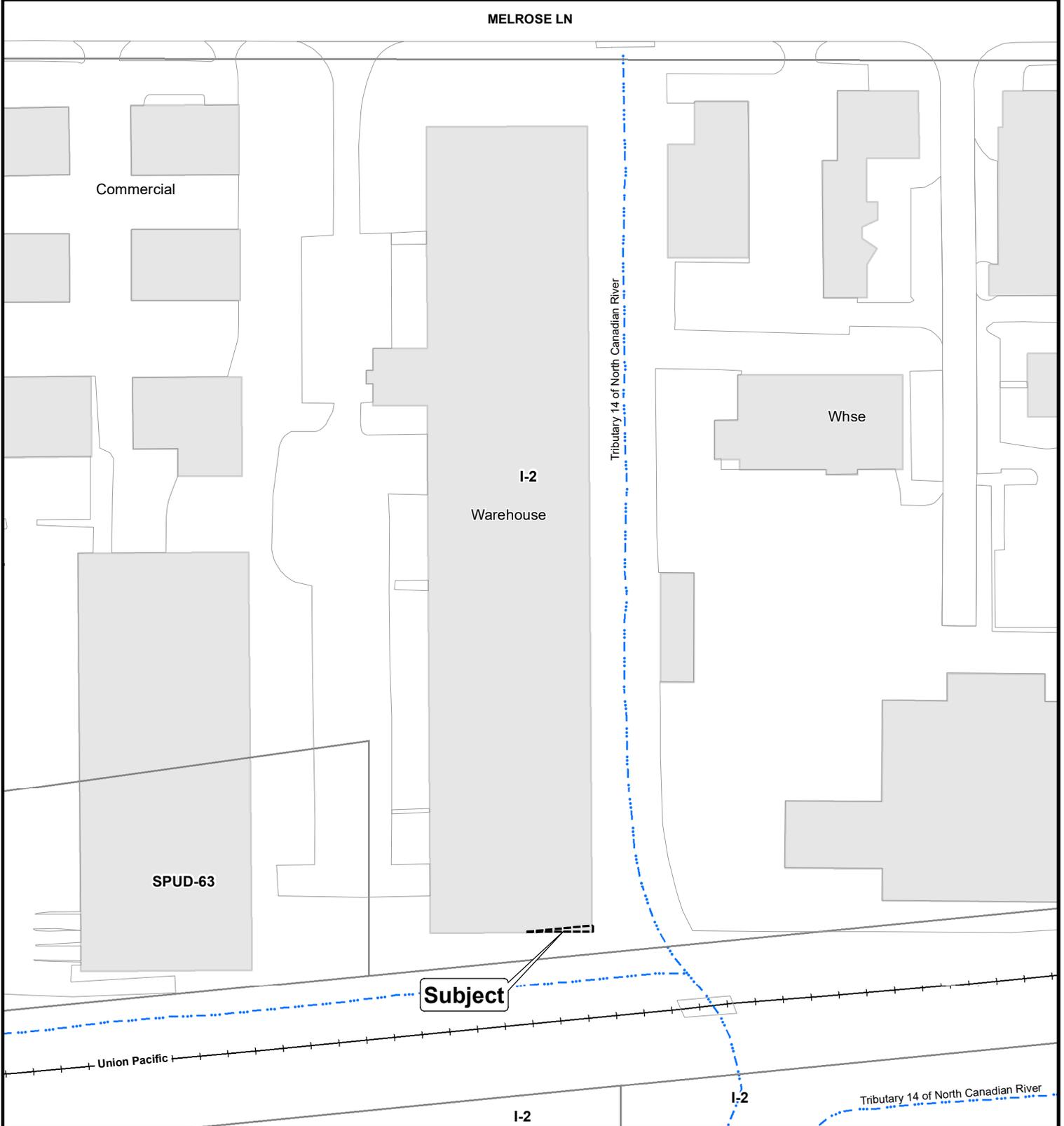
Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Planning Commission decisions require a vote of five members to approve or deny an item. The Planning 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.

taj

Case No: CE-1136

Applicant: 6828 Melrose, LLC

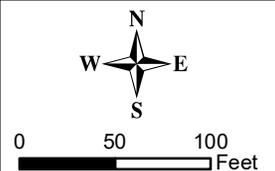


Note: "Subject" is located approximately 820' East of N. Rockwell Ave.

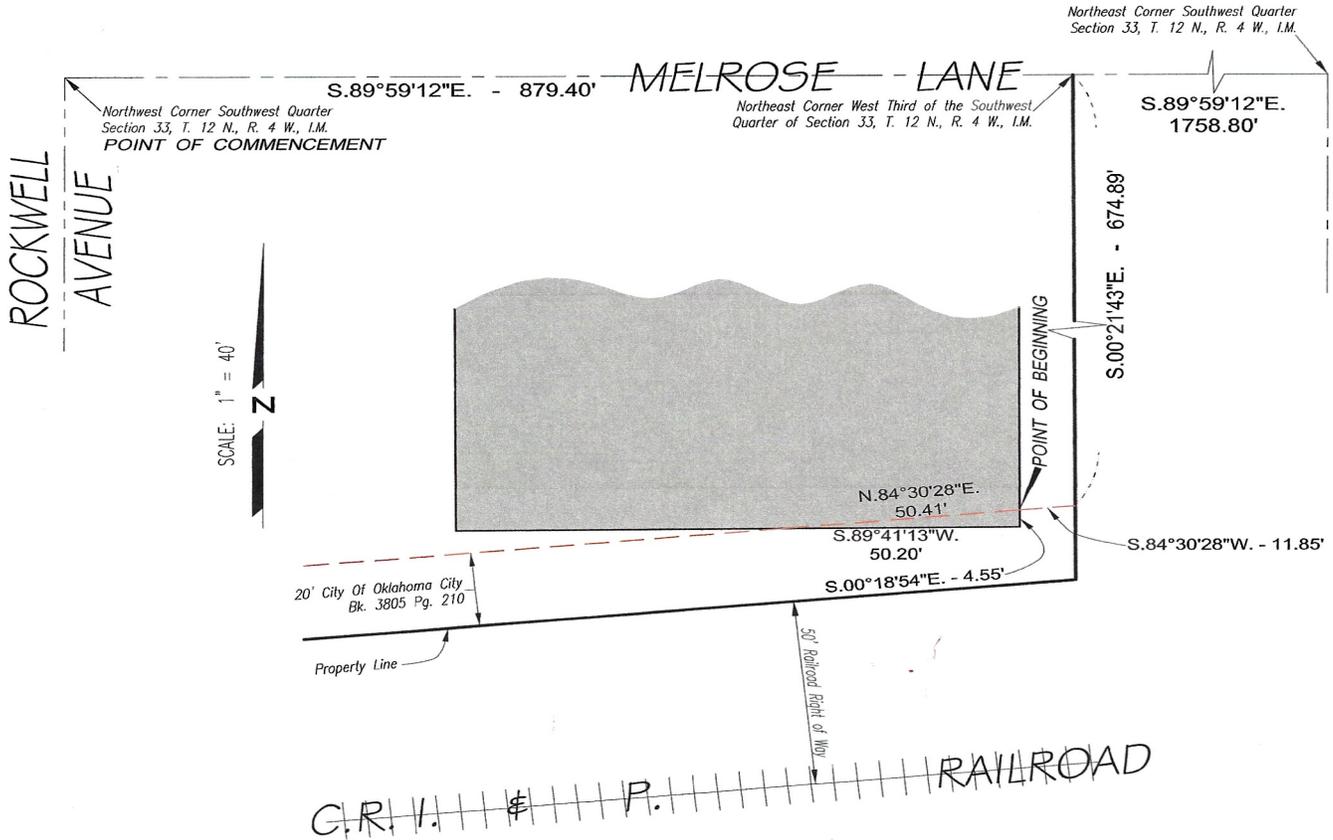


The City of
OKLAHOMA CITY

Application for Closing Public Way or Easement



LEGAL DESCRIPTION
 A part of the Southwest Quarter of Section 33, T. 12 N., R. 4 W., I.M.
 Oklahoma City, Oklahoma County, Oklahoma



LEGAL DESCRIPTION

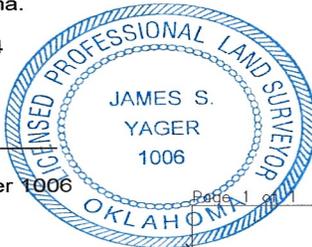
A part of the West Third of the Southwest Quarter of Section 33, T. 12 N., R. 4 W., I.M., Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows:

Commencing at the Northwest Corner of the Southwest Quarter of said Section 33, thence S.89°59'12"E., along the North Line of the Southwest Quarter of said Section 33 and the basis for the bearings in the following described tract prepared by James S. Yager, Licensed Professional Land Surveyor, a distance of 879.40 feet to the Northeast Corner of the West Third of the Southwest Quarter of said Section 33; thence S.00°21'43"E., along the East Line of the West Third of the Southwest Quarter of said Section 33, a distance of 674.89 feet; thence S.84°30'28"W., 70 feet North of and parallel with the C.R.I. & P. Railroad, a distance of 11.85 feet to the POINT OF BEGINNING, said point being on the East Face of the Existing Building; thence S.00°18'54"E., along the East Face of the Existing Building, a distance of 4.55 feet to the Southeast Corner of the Existing Building; thence S.89°41'13"W., along the South Face of the Existing Building, a distance of 50.20 feet; thence N.84°30'28"E., 70 feet North of and parallel with the C.R.I. & P. Railroad, a distance of 50.41 feet to the point or place of beginning.

The basis for the bearings shown on the above annexed ALTA Survey, are based upon the North Line of the Southwest Quarter of Section 33, T. 12 N., R. 4 W., I.M., Oklahoma County, Oklahoma, being a S.89°59'12"E. bearing. This Legal Description meets the Minimum Technical Standards as adopted by The Board of Licensure for Professional Engineers and Land Surveyors for the State of Oklahoma.

Date of Legal Description: 3 December 2024
 Date Signed: 12-3-24

[Signature]
 James S. Yager,
 Licensed Professional Land Surveyor Number 1006
 Certificate of Authorization Number 2778
 1212 S. Air Depot Number 19 Suite 102
 Midwest City, Oklahoma 73110
 405-737-3412



Page 1 of 1 File Name: C:\SURVEYS\6828 MELROSE\LEGAL DESCRIPTION.DWG
James S. Yager
 Licensed Professional Land Surveyor Number 1006
 Certificate of Authorization Number 2778
 1212 South Air Depot * Number 19 Suite 102
 Midwest City, Oklahoma 73110 Telephone: 405-737-3412/Fax: 405-737-4215

ALTA SURVEY
A part of the West Third of the Southwest Quarter of Section 33, T. 12 N., R. 4 W., I.M.
Oklahoma City, Oklahoma County, Oklahoma

Surveyor's Certificate

To: Old Republic National Title Insurance Company
Oklahoma Prime Title & Escrow, LLC
6828 Melrose, LLC, an Oklahoma limited liability company

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 13, 14, 16, and 19 (Graphically depict in relation to the subject tract or property any offsite easements or servitudes benefiting the surveyed property and disclosed in Record Documents provided to the surveyor as part of the Schedule A) of Table A thereof. The field work was completed on 20 September 2024.

Date of Map or Plot: 20 September 2024
Date Revised: 24 September 2024 (Flood Zone Information); 10 October 2024 (Elevations at SE Corner Building)
Date Signed: _____

James S. Yager
Certified Professional Land Surveyor No. 1006
Certificate of Authorization Number 2778
1212 South Air Depot Number 19 Suite 102
Midwest City, Oklahoma 73110
405-737-3412



Legal Description

Part of the SW/4 of Section 33, Township 12 North, Range 4 West, LM, Oklahoma County, Oklahoma, more particularly described as follows: Beginning at a point 620 ft. East of the Northwest corner of the SW/4; thence South to a point of intersection with the Rock Island Railroad Right-of-Way; thence East along the North line of the said Railroad Right-of-Way a distance of 250 ft. more or less to a point on the East boundary line of the West 1/2 of said SW/4; thence North to the North line of said SW/4; thence West 250 ft. more or less to the point of beginning.

Tax ID No: 148017590

The above legal description is the same as listed in 202400847 commitment for title insurance, title commitment number XX dated August 22, 2024.

Land Area

183,513.790 Square Feet or 4.213 Acres, more or less. THE SQUARE FOOTAGE INCLUDES THE STREET RIGHT OF WAY

Zoning Information

Pursuant to Item 6 (a) (ii), the surveyor was not provided with a current Zoning Report.

Flood Zone Information

By graphic plotting only, the subject tract is located in Flood Zone 'A' (areas of 100 year flood; Base Flood Elevations and Flood Hazard factors not determined) AND Flood Zone 'X' (areas determined to be outside 500 year floodplain) as shown on Flood Insurance Rate Map, Panel Number 40108020601, with an effective date of December 18, 2008, AS PER LOWER DATED JANUARY 18, 2012, which is the current map for this area.

Utility Notes

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 does NOT further 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.

Point of entry of the utilities were NOT determined at the time of survey. UTILITIES LOCATED BY VISUAL OBSERVATION ONLY. Before any construction is started, call: Call-Ole Before You Dig 405-940-5032.

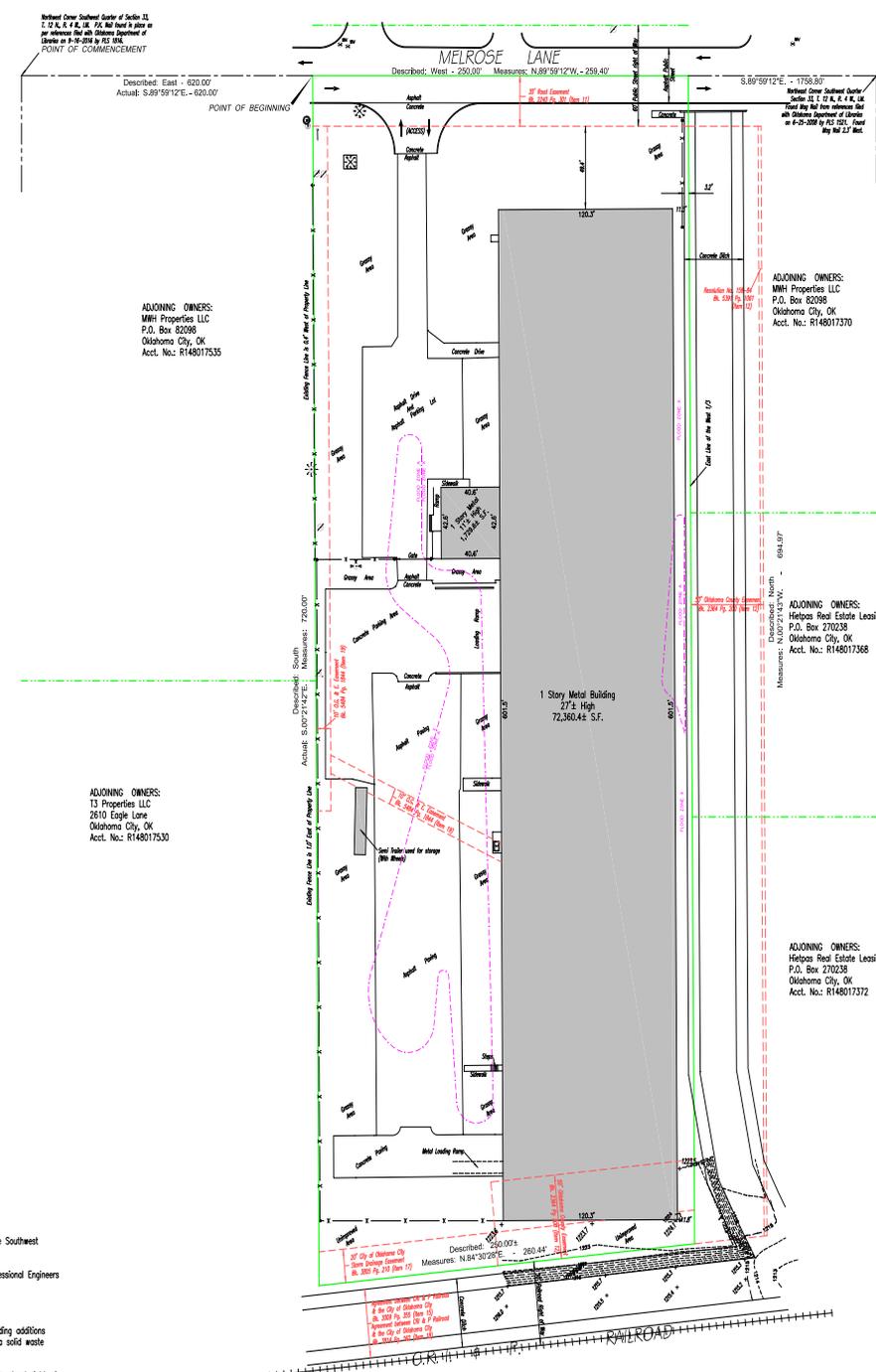
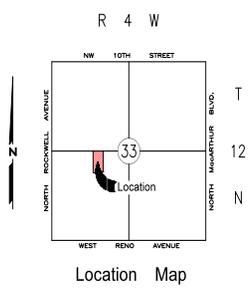
Schedule B Items

Old Republic Title Insurance Company Commitment No. 202400847, having an effective date of August 22, 2024, affects the subject property and was relied upon for recorded information regarding rights-of-way, easements and encroachments in the preparation of this Survey.

- Items 1 through 7 are not survey related items and are not shown.
- 8. Statutory right of way along all section lines. DOES NOT AFFECT THE DESCRIBED TRACT.
- 9. EASEMENT, recorded in Book 771, Page 83, (8) DOES NOT AFFECT THE DESCRIBED TRACT.
- 10. EASEMENT, recorded in Book 771, Page 91, (9) DOES NOT AFFECT THE DESCRIBED TRACT.
- 11. EASEMENT, recorded in Book 2240, Page 301, (13) AFFECTS AS SHOWN.
- 12. EASEMENT, recorded in Book 2364, Page 200, Resolution No. 158-84 recorded in Book 5391, page 1061, (14, 16) AFFECTS AS SHOWN.
- 13. Permit recorded in Book 2432, page 447, (17) DOES NOT AFFECT THE DESCRIBED TRACT.
- 14. Permit recorded in Book 2942, page 754, (18) AFFECTS THE DESCRIBED TRACT NOTHING TO PLOT.
- 15. Agreement by and between CRP Railroad Company and City of Oklahoma City recorded in Book 3009, page 355, (19) DOES NOT AFFECT THE DESCRIBED TRACT.
- 16. EASEMENT, recorded in Book 3391, Page 165, (27) DOES NOT AFFECT THE DESCRIBED TRACT.
- 17. EASEMENT, recorded in Book 3805, Page 210, (28) AFFECTS AS SHOWN. EASEMENT STATE "EXCEPTING ANY PART OF THE PERMANENT STRUCTURE LIVING UPON SAID EASEMENT." APPEARS THAT THIS STATEMENT RELEASES THE PART OF THE EASEMENT WHERE THE BUILDING IS LOCATED.
- 18. Agreement by and between CRP Railroad Company and City of Oklahoma City recorded in Book 3814, page 162, (69) DOCUMENT DOES NOT STATE IF IT PARALLELS THE NORTH OR SOUTH RIGHT OF WAY OF THE RAILROAD. NOT PLOTTABLE.
- 19. EASEMENT, recorded in Book 5484, Page 1844, (161) AFFECTS AS SHOWN.
- 20. EASEMENT, recorded in Book 5697, Page 812, (163) DOCUMENT DOES NOT STATE IF IT PARALLELS THE NORTH OR SOUTH RIGHT OF WAY OF THE RAILROAD. NOT PLOTTABLE.
- 21. Oklahoma Municipal Improvement Authority Drilling Records at Book 5957, Page 674, (182) AFFECTS THE DESCRIBED TRACT NOTHING TO PLOT.
- 22. Notice of Supplemental Final Order and Judgment ANAT Fiber Optic, recorded 10953, page 1796, (207) DOES NOT AFFECT THE DESCRIBED TRACT.
- 23. Quit Claim Deed in favor of Union Pacific Railroad Company recorded in Book 12179, page 1020, (217) DOES NOT AFFECT THE DESCRIBED TRACT.

Surveyed and Plotted by:
James S. Yager
Licensed Professional Land Surveyor Number 1006
Certificate of Authorization Number 2778
1212 South Air Depot Number 19 Suite 102
Midwest City, Oklahoma 73110 Telephone 405-737-3412/Fax 405-737-4215

File Name: C:\SURVEYS\6828 MELROSE\2024 ALTA.DWG
Date of Survey: 20 September 2024
Date of Revision: 9-24-24; 10-10-24
Page 1 of 1



General Notes
The basis for the bearings shown on the above annexed ALTA Survey, are based upon the North Line of the Southwest Quarter of Section 33, T. 12 N., R. 4 W., LM, Oklahoma County, Oklahoma, being a S.89°59'12"E. bearing.

This Plot of Survey meets the Minimum Technical Standards as adopted by The Board of Licensure for Professional Engineers and Land Surveyors for the State of Oklahoma.

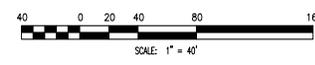
At the time of survey, no evidence of cemeteries or burial grounds existed on the subject tract.

At the time of survey, there was no observable evidence of earth moving work, building construction or building additions within recent months. At the time of survey, there was no observable evidence of the site being used as a solid waste dump, sump or sanitary landfill.

At the time of survey, the surveyor is not aware of any changes, either proposed or completed in the public street right of way.

At the time of survey, there was no observable evidence of recent street or sidewalk construction.

The described tract has direct access to Melrose Lane, a publicly dedicated street.



Case No: CE-1136

Applicant: 6828 Melrose, LLC



Aerial Photo from 2/2022

Note: "Subject" is located approximately 820' East of N. Rockwell Ave.



The City of
OKLAHOMA CITY

Application for Closing Public Way or Easement



0 50 100
Feet