

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.)

15. (CE-1079) Application by Garrett and Company, LLC, to close part of the east-west alley in Block Four (4) of the Chester Hill Addition and part of N Harvey Avenue between NW 96th Street and NW 97th Street located at 325 NW 96th 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.~~

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

MOVED BY CLAIR, 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. 15.

(CE-1079) Application by Garrett and Company, LLC, to close part of the east-west alley in Block Four (4) of the Chester Hill Addition and part of N Harvey Avenue between NW 96th Street and NW 97th Street located at 325 NW 96th 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.

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
Zoning	R.O.W.	R-1	I-2	R-1 / SPUD	R-1
Land Use	Local	Residential	Undeveloped	Vacant	Residential

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)**
- 9. American Telephone and Telegraph (AT&T)**

Assets in easement include aerial fiber and buried copper.

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 this easement. Relocation required or maintain access.

b. Solid Waste Management

No Solid Waste Management services needed.

c. Water/Wastewater Quality

Water Availability *

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 public rights-of-way requested to be closed include N Harvey Avenue between NW 96th Street and NW 97th Street, and a portion of the east-west alley located west of N Harvey Avenue within Block 4 of the Chester Hill Addition.

This application is associated with SPUD-1429 which contemplates commercial and light industrial development on the north side of NW 96th Street.

The comprehensive plan calls for keeping streets and alleys open, protecting the traditional street grid, creating a highly connected street system, and does not generally support closing public rights-of-way. In this case, Harvey Avenue has been closed north of NW 97th Street and south of NW 95th Street, but the segment requested to be closed is open and used by the public. Closing the street right-of-way would not be conformance with plan policies that call for maintaining a connected street network and protecting the traditional street grid. The closure of the unimproved alley does not appear to affect connectivity.

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.

Remove the request to close N Harvey Ave from the application and approve subject to the following technical evaluation:

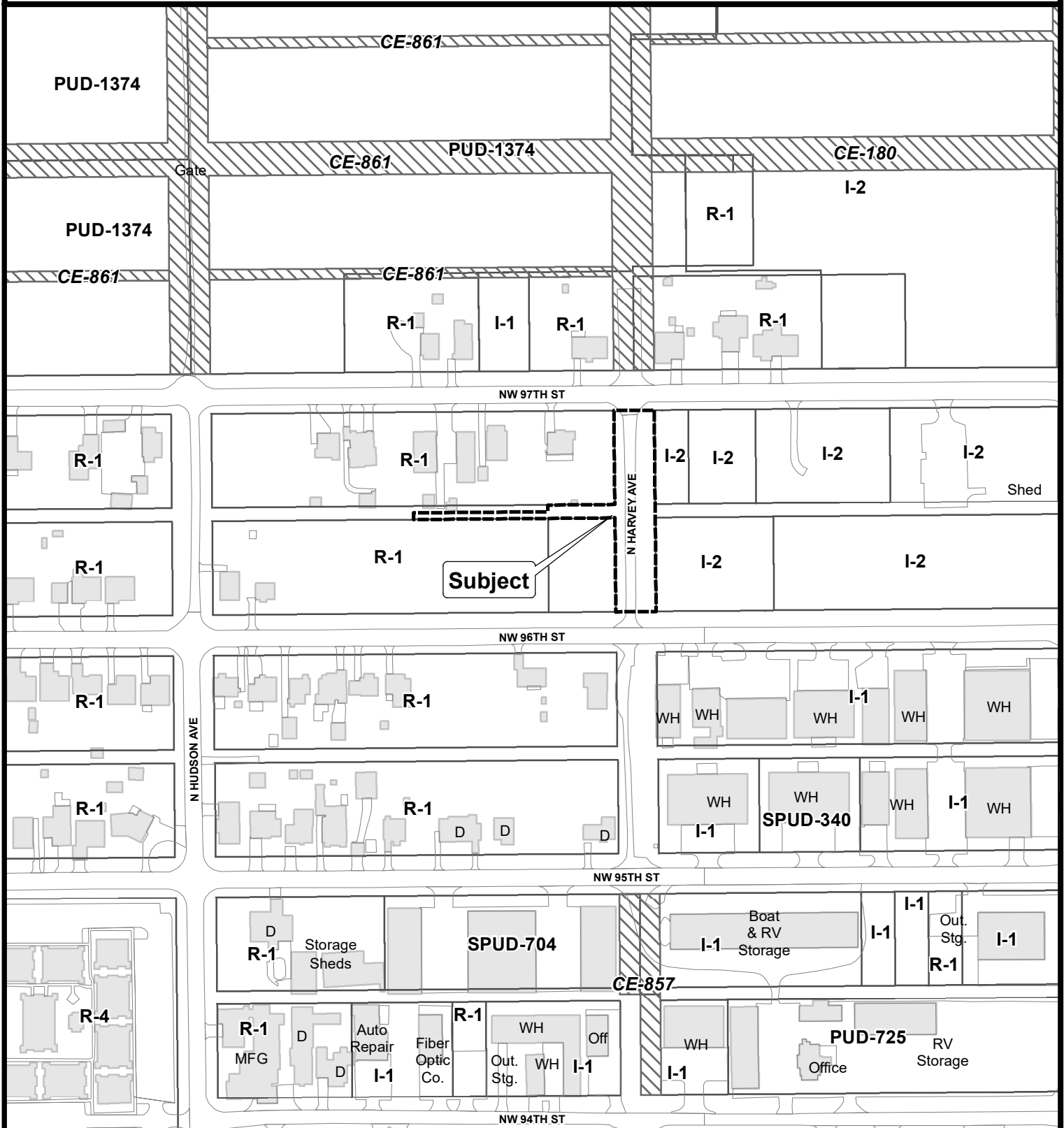
1. A perpetual easement for water and wastewater, drainage, storm water, sidewalks, and traffic controls systems (collectively “City Systems”) are hereby expressly reserved until such time as plans have been approved by the Public Works and Utilities departments respectively, which may include provision 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.

taj

Case No: CE-1079

Applicant: Garrett and Company, LLC

Location: 325 NW 96th St.

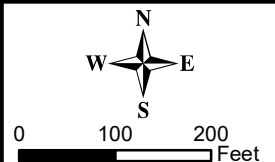


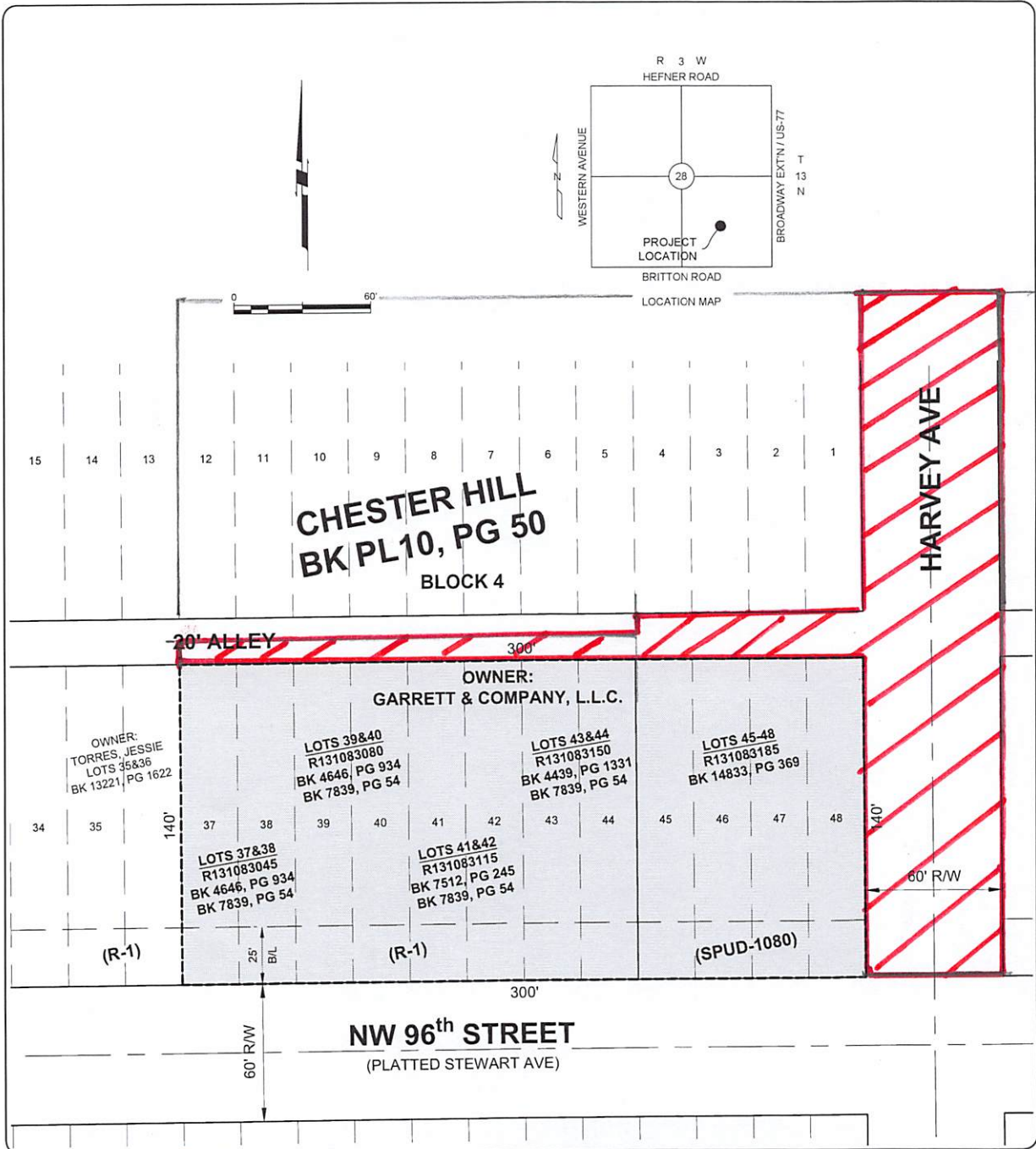
Note: "Subject" is located approximately 1,890' west of Broadway Extension and 1,132 north of Britton Rd.



The City of
OKLAHOMA CITY

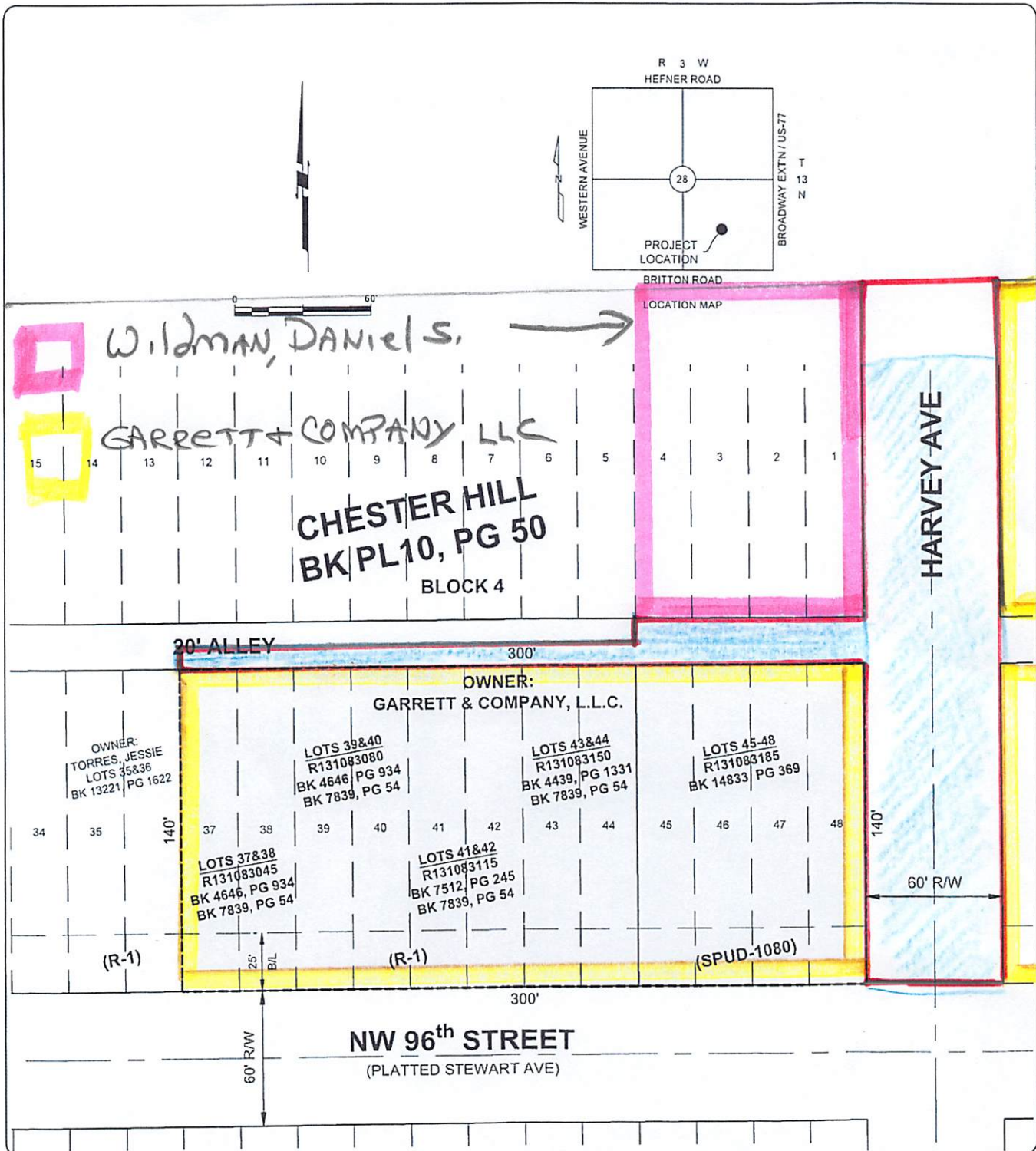
Application for Closing Public Way or Easement





Right of Way
to be Closed

ATTACHMENT "A-2"



ACAD FILE: S:\Civil 3D\proj\5274\5274 - Zoning Exhibit.dwg, 5/16/2022 8:55 AM, Nate Harkin
XREFS LOADED: 5274-bdy_N8.dwg 3092-bdy-mj.dwg

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Proj. No.: 5274
Date: 5-13-22
Scale: 1"=60'

GARRETT & COMPANY, L.L.C.
OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA
CHESTER HILL PROPERTY



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Certificate of Authorization #1484 Exp. Date 09-30-2023
• ENGINEERS • SURVEYORS • PLANNERS •

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Aerial Photo from 2/2020

Note: "Subject" is located approximately 1,890' west of Broadway Extension and 1,132 north of Britton Rd.



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Application for Closing Public Way or Easement



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Feet