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**AGENDA FOR THE REGULAR MEETING OF THE  
MIDWEST CITY PLANNING COMMISSION  
January 2, 2024 – 5:00 p.m.  
City Council Chambers  
City Hall  
100 North Midwest Boulevard**

*For purposes of all meetings of the Midwest City elected and/or appointed officials, the term “possible action” shall mean possible adoption, rejection, amendments, and/or postponements.*

**A. CALL TO ORDER**

**B. MINUTES**

1. Discussion and consideration of adoption, including any possible amendments of the minutes of the December 5, 2023 Planning Commission Meeting.

**C. ANNOUNCEMENTS**

**D. DISCUSSION**

1. (PC-2159) Public hearing, discussion, consideration, and possible action of an ordinance to redistrict from Community Commercial District (“C-3”) to General Commercial District (“C-4”), and; a Special Use Permit (SUP) to allow Automotive and Equipment: Heavy in the (C-4) General Commercial District for the property described as Lots Five (5) and Six (6) and the West Forty-Five (45) feet of Lot Four (4), in Block One (1) of Country Estates Third Addition, Oklahoma County, Oklahoma, located at 7415 SE 15<sup>th</sup> St., Midwest City.
2. (PC-2160) Public hearing, discussion, consideration, and possible action for a Special Use Permit (SUP) to allow *Eating Establishments: Sit-Down, Alcoholic Beverages Permitted* in the (C-3) Community Commercial District for the property described as a part of the Northeast Quarter (NE/4) of Section Twenty-Five (25), Township Twelve (12) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 9820 NE 23<sup>rd</sup> St., Midwest City.
3. (PC-2161) Public hearing, discussion, consideration, and possible action of a resolution to amend the Comprehensive Plan from Single-Family Detached Residential Land Use to Medium Density Residential Land Use; and an ordinance to redistrict from Single-Family Detached Residential District (“R-6”) to Two-Family Attached Residential District (“R-2F”), for the property described as a part of the Northeast Quarter (NE/4) of Section Ten (10), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 301 E. Marshall Dr., Midwest City.

**E. COMMISSION DISCUSSION**

**F. PUBLIC DISCUSSION**

**G. FURTHER INFORMATION**

**H. ADJOURN**

# MINUTES OF MIDWEST CITY PLANNING COMMISSION MEETING

**December 5, 2023 - 5:00 p.m.**

This regular meeting of the Midwest City Planning Commission was held in the City Council Chambers, 100 North Midwest Boulevard, Midwest City, Oklahoma County, Oklahoma, on December 5, 2023 - 5:00 p.m., with the following members present:

Commissioners present:      Russell Smith  
   Jess Huskey  
   Jim Smith  
   Dee Collins  
   Rick Rice

Commissioner absent:        Dean Hinton

Staff present:                 Matthew Summers, Planning and Zoning Director  
   Emily Richey, Current Planning Manager  
   Tami Anderson, Administrative Assistant  
   Patrick Menefee, City Engineer

## **A. CALL TO ORDER**

The meeting was called to order by Chairperson R. Smith at 5:00 p.m.

## **B. MINUTES**

1. A motion was made by Dee Collins seconded by Rick Rice, to approve the minutes of the Nov. 7, 2023 Planning Commission meeting as presented.  
Voting aye: R. Smith, Huskey, Collins, J. Smith, and R. Rice.  
Nay: none. Motion carried.

## **C. NEW MATTERS**

1. (PC-2156) Public hearing, discussion, consideration, and possible action for a Special Use Permit (SUP) to allow Automotive Sales and Rentals: Light in the (C-3) Community Commercial District for the property described as Lot Two (2) and the North Ninety-Five (95) feet of the West Fifteen (15) feet of Lot Three (3), McCorkle Park Addition to Oklahoma County, Oklahoma located at 2224 S. Air Depot Blvd., Midwest City.

There was general discussion amongst the Commission.

The applicant, (Paul – 2224 S. Air Depot) was present and addressed the council.  
Concerned about the parking issues.

A motion was made to recommend to deny - by Dee Collins seconded by Jess Husky of this item.  
Voting to deny - R. Smith, Huskey, Collins, J. Smith, and R. Rice.

2. (PC-2157) Public hearing, discussion, consideration, and possible action of a resolution to amend the Comprehensive Plan from Medium Density Residential Land Use to High Density Residential Land Use; and an ordinance to redistrict from Simplified Planned Unit Development (“SPUD”) to High Density Residential District, for the property described as a part of the Northwest Quarter (NW/4) of Section Nine (9), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 1721 N. Hudiburg Dr., Midwest City.

NOTE : This one was formally pulled by applicant prior to meeting.

3. (PC-2158) Public hearing, discussion, consideration, and possible action for the approval of the Final Plat of Parkway Expansion for the property described as a tract of land being a part of the Southwest Quarter (SW/4) of Section Seven (7), Township Eleven (11) North, Range One (1) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma located at 10301 SE 29th St.

There was general discussion amongst the Commission.

The applicant, Jessica – 1<sup>st</sup> E. Sheridan was present and addressed the council.

The applicant, John – 2205 S. Webster Dr, - was present and addressed the council.

Water concern and burm on railroad.

A motion was made by Jess Huskey, seconded by Jim Smith to recommend approval of this item.

Voting aye R. Smith, Huskey, Collins, J. Smith, and R. Rice.

Nay: None. Motion Carried.

**D. COMMISSION DISCUSSION:**

**E. PUBLIC DISCUSSION:**

**F. FURTHER INFORMATION:**

**G. ADJOURNMENT:**

A motion to adjourn was made by Russell Smith, Seconded by Jim Smith.

Voting aye: R. Smith, Huskey, Collins, J. Smith, and R. Rice.

Nay: None. Motion Carried.

The meeting adjourned at 5:32 p.m.

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Chairman Russell Smith

(ta)

**To:** Chairman and Planning Commission  
**From:** Emily Richey, Current Planning Manager  
**Date:** January 2, 2024

**Subject:** (PC-2159) Public hearing, discussion, consideration, and possible action of an ordinance to redistrict from Community Commercial District (“C-3”) to General Commercial District (“C-4”), and; a Special Use Permit (SUP) to allow Automotive and Equipment: Heavy in the (C-4) General Commercial District for the property described as Lots Five (5) and Six (6) and the West Forty-Five (45) feet of Lot Four (4), in Block One (1) of Country Estates Third Addition, Oklahoma County, Oklahoma, located at 7415 SE 15<sup>th</sup> St., Midwest City

**Executive Summary:** The applicant, Matthew Wilson, is requesting to rezone the subject property from Community Commercial District to General Commercial District, and is requesting a Special Use Permit to allow Automotive and Equipment: Heavy.

Mr. Wilson would like to offer services that exceed what is allowable in its current governing zoning district. The rezone and Special Use Permit would allow for him to repair both heavy and light vehicles, operate his existing wrecker service, and temporary storage of damaged vehicles.

The lot size meets minimum lot size requirements for the C-4 zoning district. If rezone is approved, the development regulations for C-4, General Commercial District shall be observed.



The subject property abuts residential districts to the north and west and shall be responsible for screening and landscaping in accordance with all provisions of Zoning Regulations Section 5.2 Screening and Landscaping.

If this application is approved, the applicant will need to apply for the appropriate building permits through the Engineering and Construction Services Department if any modifications are needed to accommodate the extra allowable uses. All applicable code requirements shall be observed.

At the time of this writing, staff has not received any comments regarding this case.

Both state and local notification requirements were met.

Staff recommends approval of rezone and the Special Use Permit with the conditions that the Special Use Permit expires with the occupancy of Lonewolf Auto. If and when a new tenant applies for occupancy and wants to provide services defined as Automotive and Equipment: Heavy, they will need to apply for their own Special Use Permit; and that the temporary storage of damaged vehicles are stored behind the sight-proof fence on the property.

Action is at the discretion of the Planning Commission.

**Dates of Hearing:**

Planning Commission- January 2, 2024

City Council- January 23, 2024

**Date of Pre-Development Meeting:**

November 3, 2023

**Council Ward:** Ward 1, Susan Eads

**Owner:** Matthew Wilson; Hope Roadside Services, LLC.

**Applicant:** Matthew Wilson

**Proposed Use:** Lonewolf Auto

**Size:** The property contains an area of 12,000 square feet, more or less.

**Development Proposed by Comprehensive Plan:**

Area of Request- Office/Retail

North- Office/Retail

South- Low Density Residential; Office/Retail

East- Office Retail

West- Low Density Residential

**Zoning Districts:**

Area of Request- Community Commercial District (“C-3”)

North- Community Commercial District (“C-3”); Single-Family Detached Residential District (“R-6”)

South- Single-Family Detached Residential District (“R-6”)

East- Community Commercial District (“C-3”)

West- Single-Family Detached Residential District (“R-6”)

**Land Use:**

Area of Request- Lonewolf Auto

North- Single-family residences

South- Single-family residences; Vacant single-family residential lots

East- Uptown Center

West- Single-family residence

**Comprehensive Plan Citation:**

The future zoning land use for the subject lots is Commercial, therefore an amendment to the Comprehensive Plan is not needed.

Commercial Land Uses

Areas designated for commercial land use are intended for a variety of commercial uses and establishments with outside storage, displays, and sales. Examples of such uses include automobile-related services, manufactured home sales, self-storage units, welding shops, and pawnshops. Commercial uses often locate along major thoroughfares not because they need the visibility, as retail uses generally do, but because they need the accessibility.

In addition to looking to the Future Land Use Map as a tool, we should also consider the compatibility of adjoining and nearby uses when determining the appropriateness of a zone change application. In general, Commercial uses are not compatible with residential uses due to the additional noise, odor, and other potential adverse impacts they generate. The subject property has been used for many years as more of a commercial use with adjoining residential properties. The proposed zone change and special use permit should not significantly alter the character of the area, but it is important to note that the Applicant is responsible for providing all screening required by ordinance to lessen the impact of the proposed use on the adjoining residences.

**Municipal Code Citation:**

2.21. – C-4, General Commercial

2.21.1. *General Description.* This commercial district is designed for the conduct of personal and business services and the general retail trade of the community and the surrounding area.

Because the permitted uses may serve and employ large numbers of people, the activities conducted and traffic generated make this district very incompatible with residential development.

Therefore, this district should be utilized at points of direct access from freeways, expressways, and arterial intersections, or in areas identified for heavy commercial activity that will be well separated from nearby residential areas. Outdoor storage and display is permitted.

7.6. – Special Use Permit

7.6.1. *General Description and Authorization.* The uses listed under the various districts as special use permits are so classified because they more intensely dominate the area in which they are located than do other uses permitted in the district.

(A) *Consideration for compatibility.* With consideration given to setting, physical features, compatibility with surrounding land uses, traffic, and aesthetics, certain uses may locate in an area where they will be compatible with existing or planned land uses.

(B) *Review and approval.* The Planning Commission shall review each case on its own merit, apply the criteria established herein, and recommend either approval or denial of the special use permit to the City Council.

Following the Planning Commission's recommendation, the City Council shall review each case on its own merit, apply the criteria established herein, and, if appropriate, authorize said use by granting a special use permit.

(C) *Use identified by individual zoning district.* If a special use permit is granted it shall be for all the uses permitted in the specified district plus the special use permit requested.

7.6.2. *Application.* Application and public hearing procedures for a special permit shall be completed in the same manner as an application for rezoning. A site plan shall be included with the application as outlined in 7.5 Site Plan (Page 183).

7.6.3. *Criteria for Special Permit Approval.*

(A) *Special use permit criteria.* The City Council shall use the following criteria to evaluate a special use permit:

- (1) Whether the proposed use shall be in harmony with the policies of the comprehensive plan.
- (2) Whether the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- (3) Whether the proposed use shall not adversely affect the use of neighboring properties.
- (4) Whether the proposed use shall not generate pedestrian and vehicular traffic that is hazardous or in conflict with the existing and anticipated traffic in the neighborhood.

(5) Whether utility, drainage, parking, loading, signs, lighting access and other necessary public facilities to serve the proposed use shall meet the adopted codes of the city.

(B) *Specific conditions.* The City Council may impose specific conditions regarding:

- (1) the duration of the permit,
- (2) the location, design, operation, and screening to assure safety,
- (3) to prevent a nuisance, and
- (4) to control the noxious effects of excessive sound, light, odor, dust or similar conditions.

7.6.4. *Status of Special Use Permits.* Once a special use permit has been granted for a lot, said special use permit may not be expanded to another lot without application for a new special use permit. Provided, however, churches may expand if the property on which said church will be located is owned, as reflected by official records kept by the Registrar of Deeds for Oklahoma County, Oklahoma, on or prior to June 22, 1982.

7.6.5. *Expiration of Special Use Permits.* All special use permits shall expire by default:

A) *Non-establishment.*

- (1) If the use is not established within twelve (12) months and no extension is approved.
- (2) When a building permit has not been issued for construction within twelve (12) months of City Council approval the applicant or owner may request a hearing for an extension of the initial special use permit approval.
- (3) Good cause for an extension shall mean that the owner shows evidence that he has contractors or applications for continual development within the next year following the original approval.

(B) *Discontinuance.* If the use once established has been discontinued for a period of twelve (12) months or abandoned.

(C) *Lack of substantial compliance.* Whenever the Community Development Director finds that any proposed construction or occupancy will not, in his opinion, substantially comply with the special use permit, he shall refer the question to the City Council for its review.

(D) *Amendment.* When the holder of a special use permit determines that an extension of time or modification of the use is necessary, he may apply for amendment in the same manner as the original application. The amendment shall be processed in the same manner as an original application.

*The following use is permitted in General Commercial District with a Special Use Permit:*

4.4.11. Automotive *and* Equipment: Heavy. Repair of motor vehicles such as aircraft, boats, recreational vehicles and trucks, as well as the sale, installation and servicing of automotive equipment and parts together with body repairs, painting and steam cleaning.

**History:**

1. A Certificate of Occupancy was issued for Lonewolf Auto in August of 2023.

**Next Steps:**

If Council approves this rezone, the applicant will need to apply for the appropriate building permits through the Engineering and Construction Services Department if any modifications are needed to accommodate the extra allowable uses.

**Staff Comments-**

*There are numerous construction requirement references made in the Engineering, Fire Marshal, and Public Works portions of this report. The intent of the Municipal Code is to directly involve the applicant in continued community development activities such as extending public sewer and water and making street improvements, for examples. This is a rezoning & special use permit application and the construction references are provided to make the applicant and subsequent developers of this property aware of their applicability as they relate to the future development or redevelopment of this property.*



**Google Earth Image of Property (View from SE 15<sup>th</sup> Street)**

**Engineering Staff Comments:**

**Note: No engineering improvements are required with this application.**

Water Supply and Distribution

There is a public water main bordering the proposed parcel, an eight (8) inch line running along the south side of S.E. 15<sup>th</sup> Street. Any new building permit will require tying to the public water system as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

There is a public sewer main bordering the proposed parcel, a six (6) inch line running along the north side of the subject property. Any new building permit will require tying into the public sewer system as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the parcel is from S.E. 15<sup>th</sup> Street using an existing drive. S.E. 15<sup>th</sup> Street is classified as a secondary arterial in the 2008 Comprehensive Plan. Public road and sidewalk improvements are not required as part of this application.

Drainage and Flood Control, Wetlands, and Sediment Control



The area of request is shown to be in an Area of Minimal Flood Hazard on Flood Insurance Rate Map (FIRM) number 40109C0310H, dated December 18th, 2009. Public drainage and detention improvements are not required as part of this application.

Easements and Right-of-Way

No further easements or right of way would be required with this application.

**Fire Marshal's Comments:**

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

**Public Works' Comments:**

Line Maintenance, Sanitation, & Stormwater

- No comments.

**Planning Division:**

Staff met with the applicant November 3, 2023 for a pre-development meeting.

Mr. Wilson would like to offer services that exceed what is allowable in its current governing zoning district. The rezone and Special Use Permit would allow for him to repair both heavy and light vehicles, operate his existing wrecker service, and temporary storage of damaged vehicles.

The lot size meets minimum lot size requirements for the C-4 zoning district. If rezone is approved, the development regulations for C-4, General Commercial District shall be observed.

Property abutting a residential district shall be screened and landscaped in accordance with all provisions of 5.2 Screening and Landscaping.

Staff recommends approval of rezone and the Special Use Permit with the conditions that the Special Use Permit expires with the occupancy of Lonewolf Auto. If and when a new tenant applies for occupancy and wants to provide services defined as Automotive and Equipment: Heavy, they will need to apply for their own Special Use Permit; and that the temporary storage of damaged vehicles are stored behind the sight-proof fence on the property.

**Action Required:**

Approve or reject to amend the ordinance to redistrict from Community Commercial District ("C-3") to General Commercial District ("C-4") for the property noted herein, subject to staff comments as found in the January 2, 2024 Planning Commission agenda packet and made part of PC-2159 file.

**Suggested Motions:**

*"To approve the ordinance redistricting 7415 SE 15<sup>th</sup> Street to the General Commercial zoning district subject to Staff Comments found in the January 2, 2024 Planning Commission agenda packet and made a part of the PC-2159 file."*

*"To approve the Special Use Permit for 7415 SE 15<sup>th</sup> Street to allow the use of Automotive and Equipment: Heavy in the C-4, General Commercial District subject to Staff Comments found in the January 2, 2024 Planning Commission agenda packet and made part of the PC-2159 file."*

Please feel free to contact my office at (405) 739-1223 with any questions.

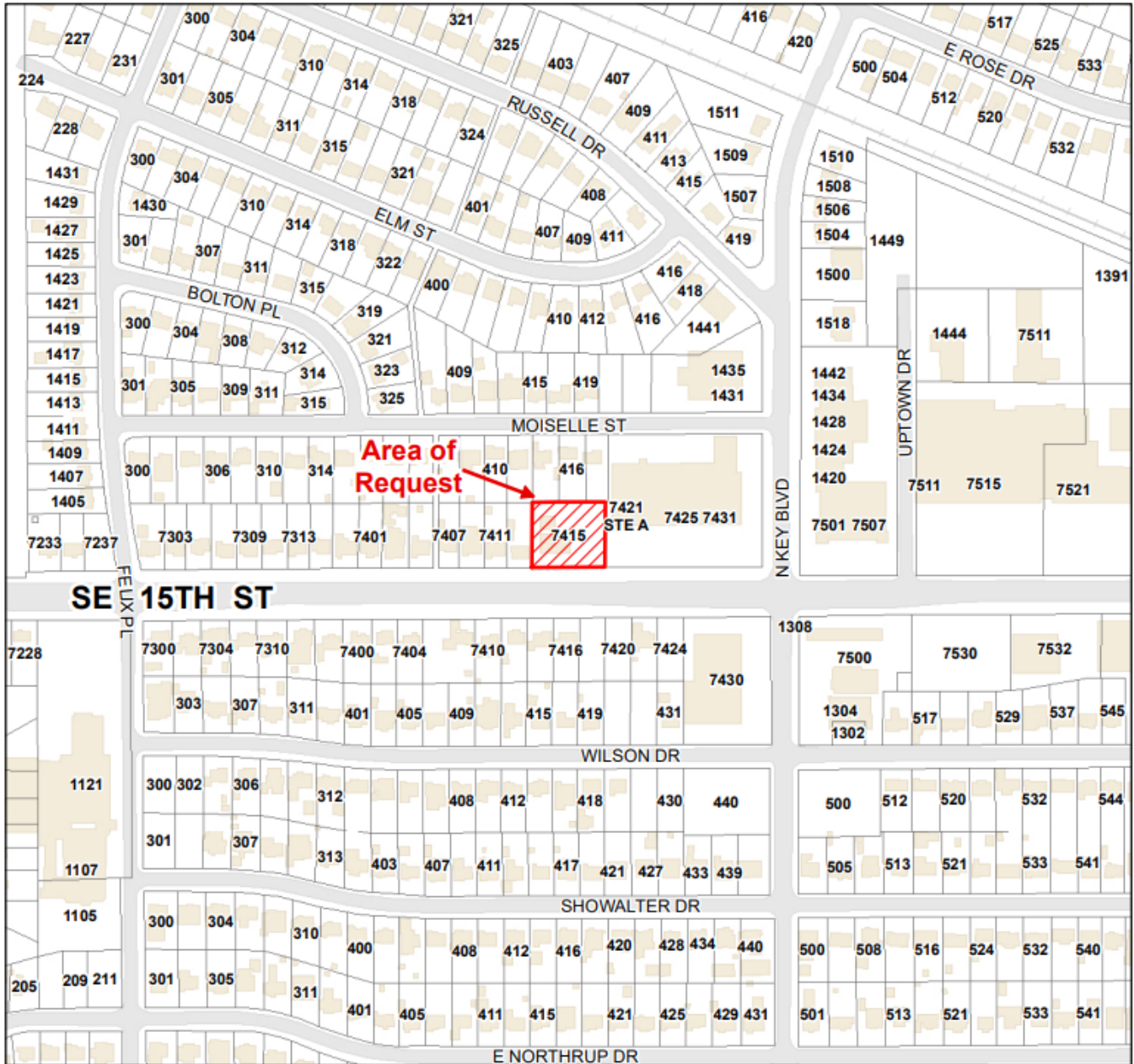
A handwritten signature in blue ink that reads "Emily Richey". The signature is written in a cursive style with a large initial 'E' and 'R'.

Emily Richey

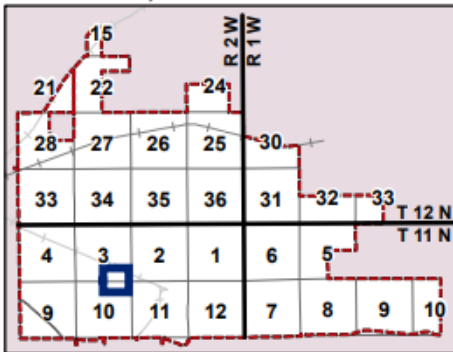
Current Planning Manager










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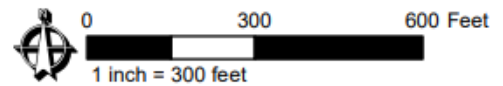
Locator Map



General Map Legend

-  Area of Request
-  Parcels with Addresses
-  Buildings
-  Edge of Pavement
-  MWC City Limits
- Railroads**
-  Active
-  Inactive / Closed

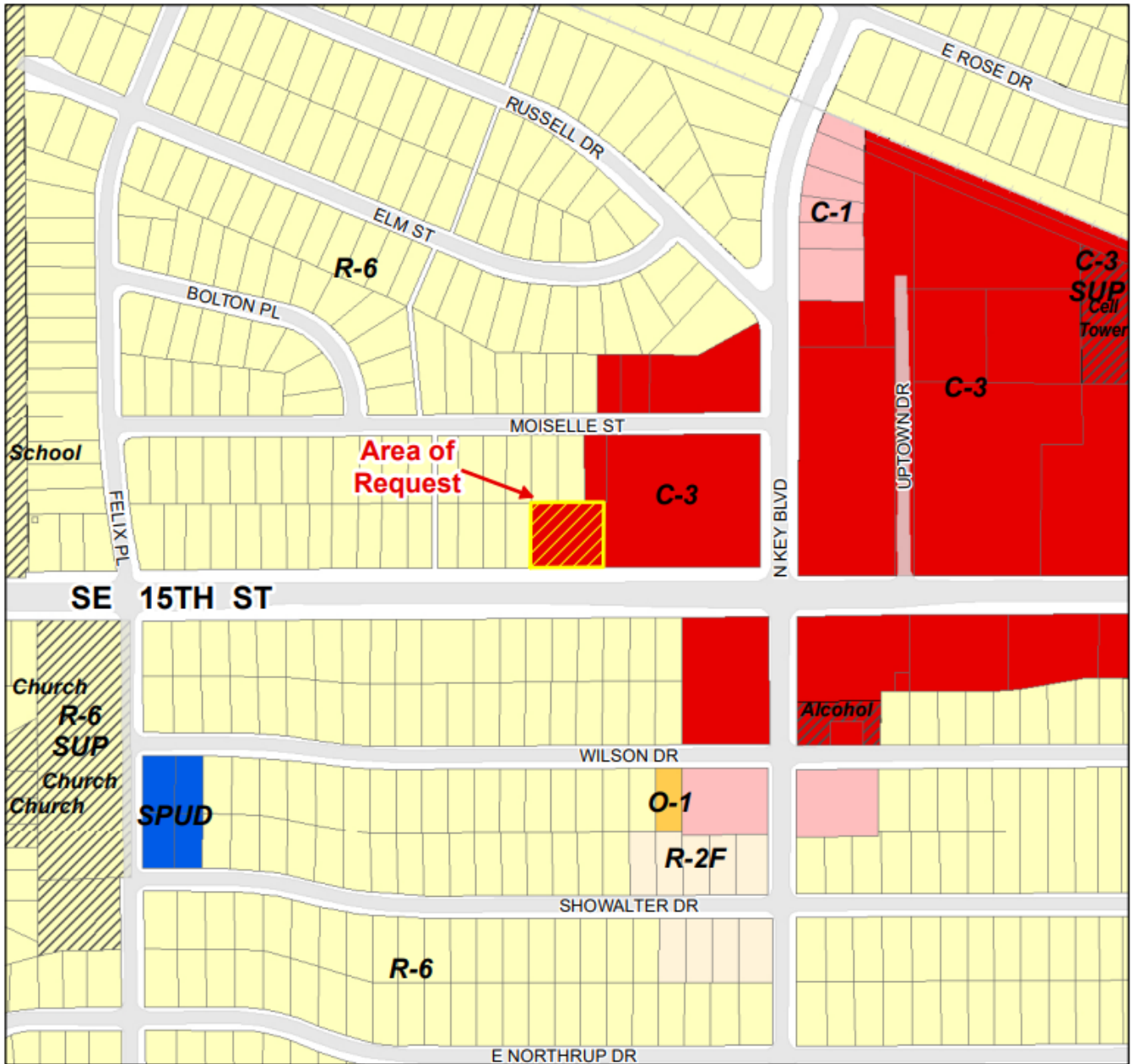
**GENERAL MAP FOR  
PC-2159  
(SE/4, Sec 3, T11N, R2W)**



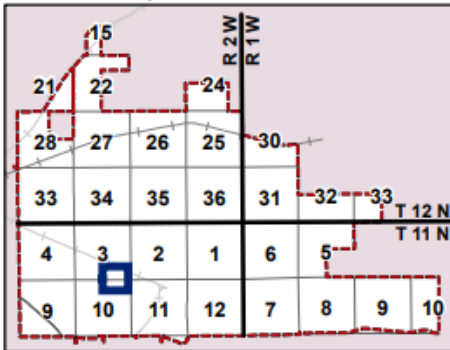
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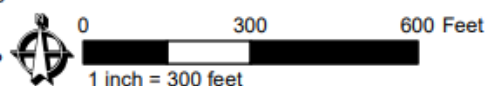
Locator Map



Current Zoning Legend

A-1	I-2 SUP	R-35
A-1 SUP	I-3	R-2F
C-1	O-1	R-MD
C-1 SUP	O-1 SUP	R-MD SUP
C-2	O-2	R-HD
C-3	O-2 SUP	R-HD SUP
C-3 SUP	R-6	R-MH-1
C-4	R-6 SUP	R-MH-2
C-4 SUP	R-8	PUD
I-1	R-10	SPUD
I-2	R-22	SPUD
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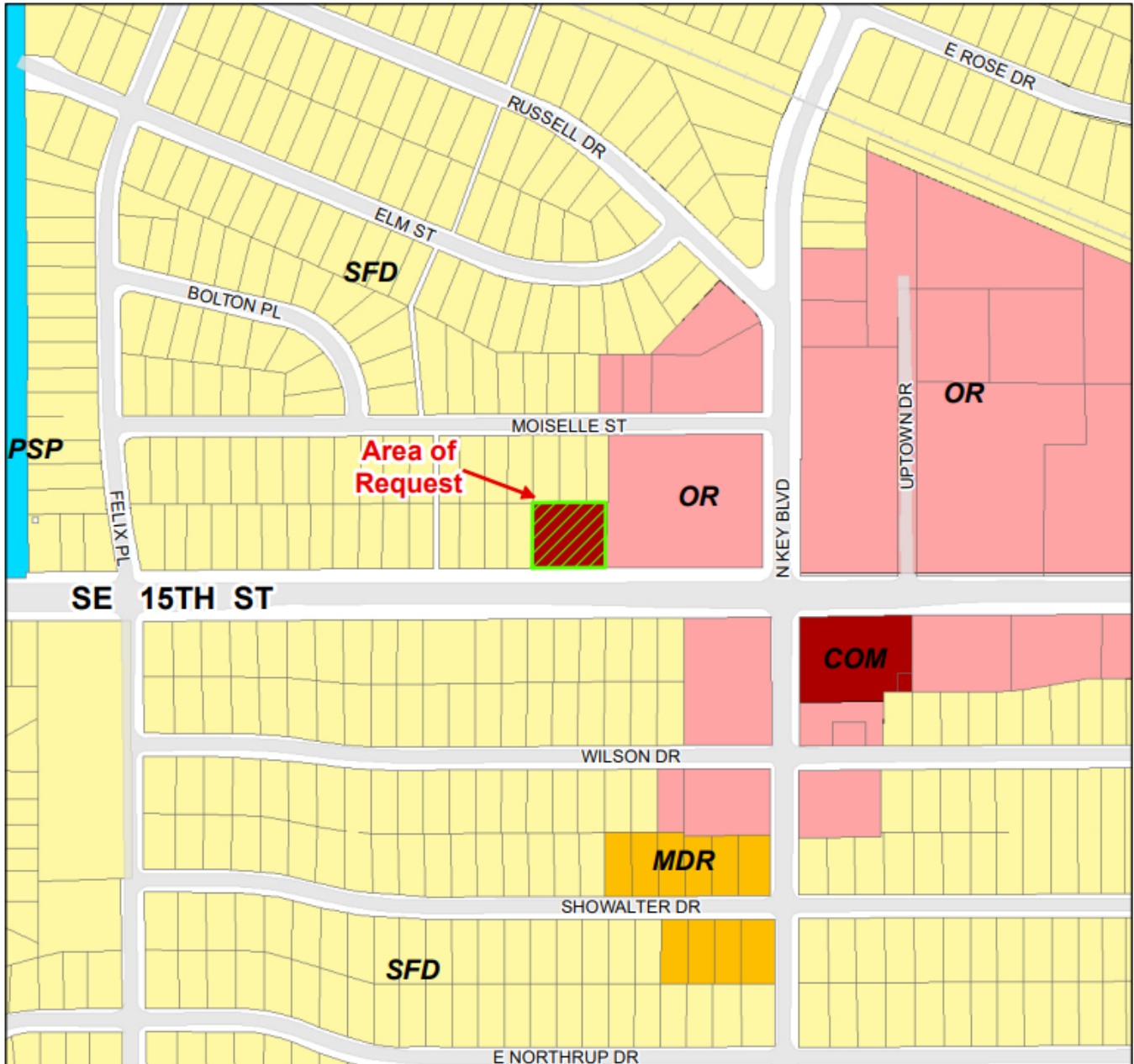
**ZONING MAP FOR  
PC-2159  
(SE/4, Sec 3, T11N, R2W)**



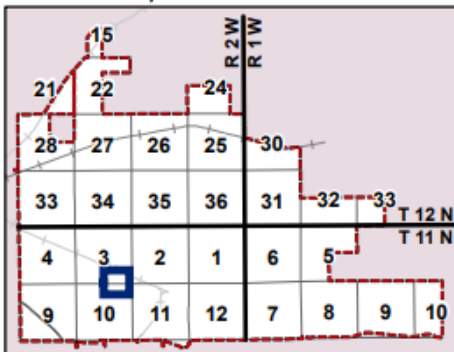
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Locator Map



Future Land Use Legend

- Single-Family Detached Residential
- Medium Density Residential
- High Density Residential
- Manufactured Home
- Public/Semi-Public
- Parks/Open Space
- Office/Retail
- Commercial
- Industrial
- Town Center

FUTURE LAND USE

MAP FOR  
PC-2159

(SE/4, Sec 3, T11N, R2W)



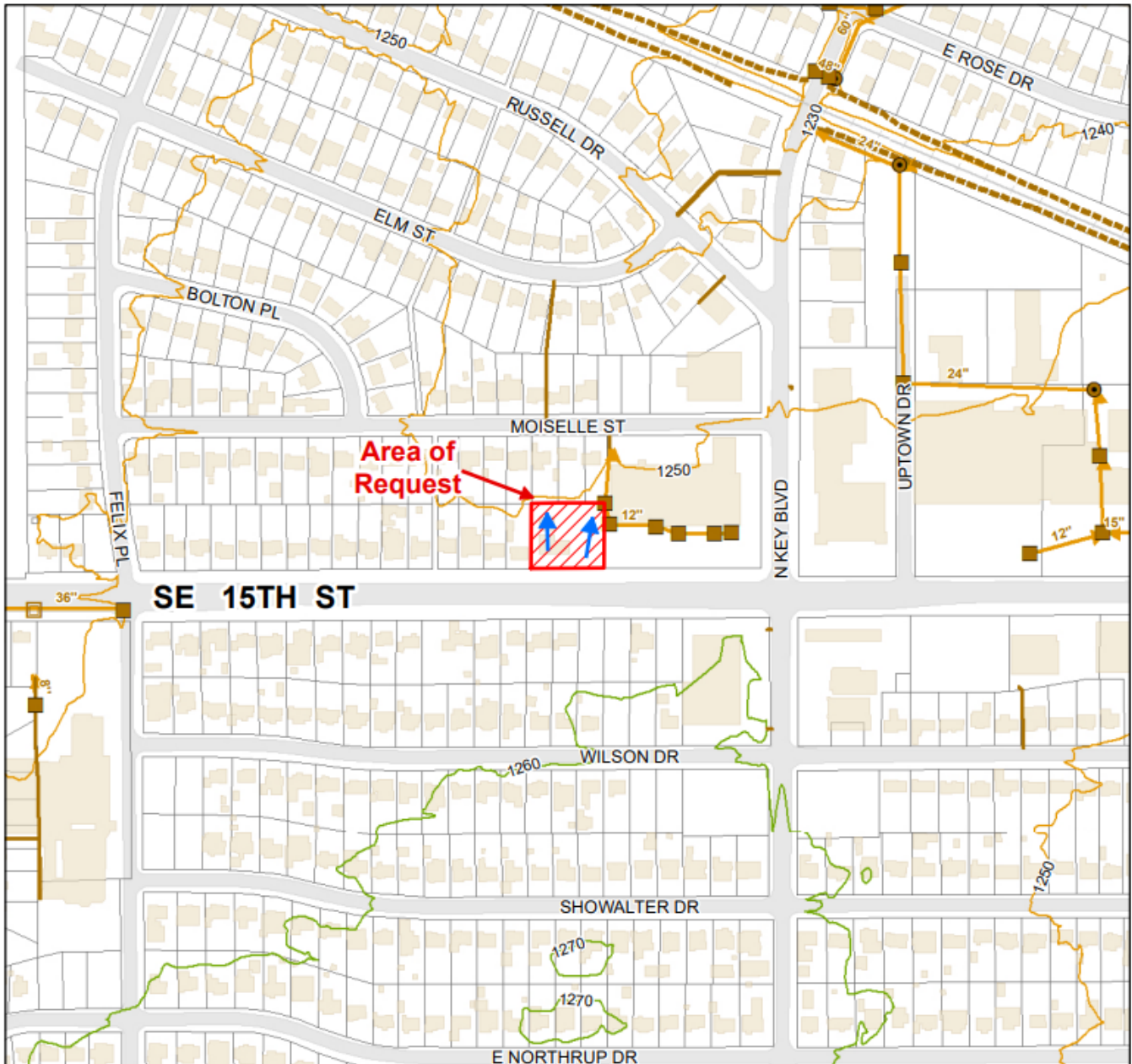
0 300 600 Feet

1 inch = 300 feet

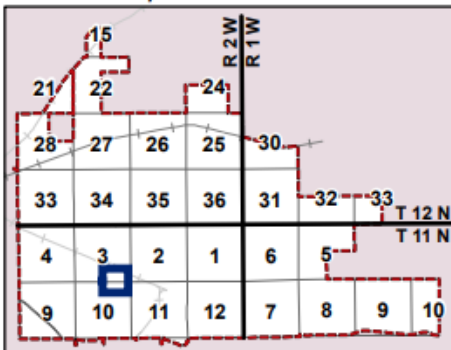
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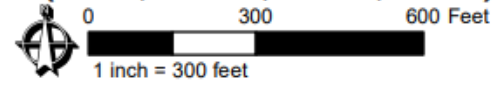
Locator Map



- Drainage Legend**
- Curb Inlets
  - Inlets
  - Junction Box
  - Culverts
  - Flumes
  - Developed Channels
  - Trickle Channels
  - Undeveloped Channels
  - Storm Lines
  - Creeks
- ELEVATION**
- 1166-1204 ft
  - 1204-1228 ft
  - 1228-1250 ft
  - 1250-1278 ft
  - 1278-1324 ft

- 2009 FEMA Floodplains**
- 500-yr floodplain
  - 100-yr floodplain
  - 2009 FEMA Floodway

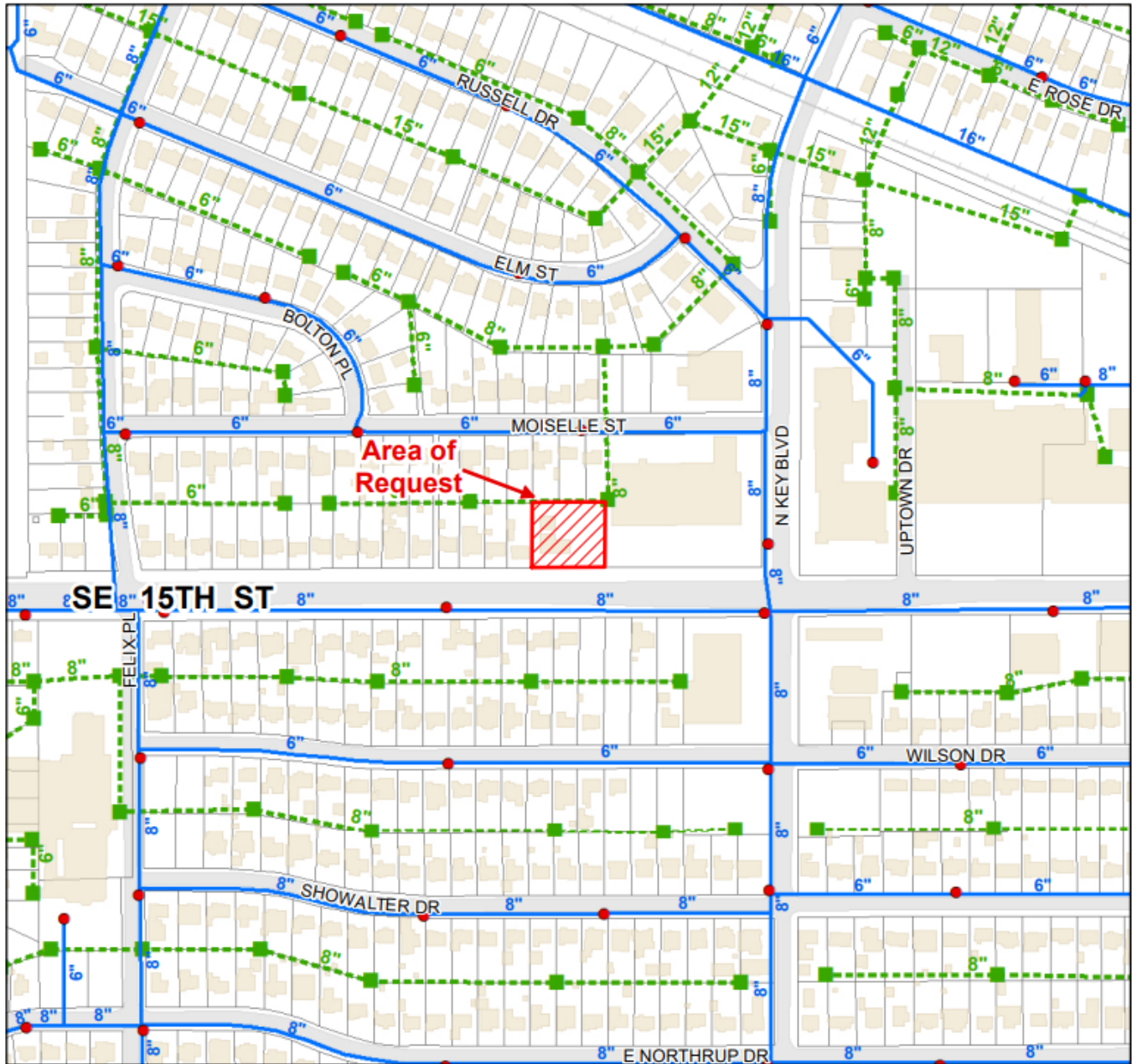
## DRAINAGE LOCATION MAP FOR PC-2159 (SE/4, Sec 3, T11N, R2W)



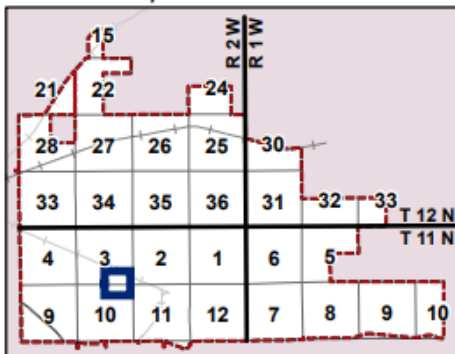
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Community Development / Information Technology - GIS



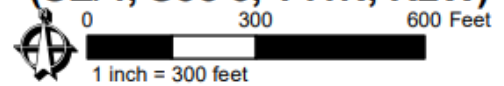
Locator Map



**Water/Sewer Legend**

- Fire Hydrants
- Water Lines
  - Distribution
  - Well
  - OKC Cross Country
  - Sooner Utilities
  - Thunderbird
  - Unknown
- Sewer Manholes
- Sewer Lines

**WATER/SEWER LINE  
LOCATION MAP FOR  
PC-2159  
(SE/4, Sec 3, T11N, R2W)**



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**To:** Chairman and Planning Commission  
**From:** Emily Richey, Current Planning Manager  
**Date:** January 2, 2024

**Subject:** (PC-2160) Public hearing, discussion, consideration, and possible action for a Special Use Permit (SUP) to allow *Eating Establishments: Sit-Down, Alcoholic Beverages Permitted* in the (C-3) Community Commercial District for the property described as a part of the Northeast Quarter (NE/4) of Section Twenty-Five (25), Township Twelve (12) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 9820 NE 23<sup>rd</sup> St., Midwest City.

**Executive Summary:** The applicant, Chuck Bibbs, is requesting a Special Use Permit for the subject property to allow for the uses allowable in 4.4.28. *Eating Establishments: Sit-Down, Alcoholic Beverages Permitted*.

Mr. Bibbs' owns and operates Bibbs' BBQ and would like to serve alcohol. Approving the Special Use Permit would allow for the outlined intents of the business to be in zoning compliance with the City.

Both state and local public notice requirements were fulfilled and staff received no comments regarding this case.

Staff recommends approval of this application with the condition that the Special Use Permit expires with the occupancy of Bibbs' BBQ. If and when a new tenant applies for occupancy and wants to serve alcohol, staff recommends they apply for their own Special Use Permit.

If approved, the applicant will be required to obtain a Letter of Compliance from Ms. Richey to submit to the ABL Commission so they can serve alcohol. The applicant will also be required to apply for an alcohol license through the City's Customer Service Department.

Action is at the discretion of the Planning Commission.

**Dates of Hearings:**

Planning Commission- January 2, 2024  
City Council- January 23, 2024

**Council Ward:** Ward 5, Sara Bana

**Proposed Use:** Bibbs' BBQ





**Zoning Districts:**

Area of Request- Community Commercial District (“C-3”)

North- Spencer City Limits

South- Planned Unit Development (“PUD”); Single-Family Detached Residential District (“R-6”);

Manufactured Home Park District (“R-MH-2”)

East- Nicoma Park City Limits

West- Single-Family Detached Residential District (“R-6”); Manufactured Home Park District (“R-MH-2”)

**Land Use:**

Area of Request- 23 Post Plaza

North- Spencer City Limits

South- East Oaks Village Senior Apartments

East- Nicoma Park City Limits

West- The Circle R Saloon; Hilltop Mobile Home Park

**Municipal Code Citation:**

7.6. – Special Use Permit

7.6.1. *General Description and Authorization.* The uses listed under the various districts as special use permits are so classified because they more intensely dominate the area in which they are located than do other uses permitted in the district.

(A) *Consideration for compatibility.* With consideration given to setting, physical features, compatibility with surrounding land uses, traffic, and aesthetics, certain uses may locate in an area where they will be compatible with existing or planned land uses.

(B) *Review and approval.* The Planning Commission shall review each case on its own merit, apply the criteria established herein, and recommend either approval or denial of the special use permit to the City Council. Following the Planning Commission's recommendation, the City Council shall review each case on its own merit, apply the criteria established herein, and, if appropriate, authorize said use by granting a special use permit.

(C) *Use identified by individual zoning district.* If a special use permit is granted it shall be for all the uses permitted in the specified district plus the special use permit requested.

7.6.2. *Application.* Application and public hearing procedures for a special permit shall be completed in the same manner as an application for rezoning. A site plan shall be included with the application as outlined in 7.5 Site Plan (Page 183).

7.6.3. *Criteria for Special Permit Approval.*

(A) *Special use permit criteria.* The City Council shall use the following criteria to evaluate a special use permit:

(1) Whether the proposed use shall be in harmony with the policies of the comprehensive plan.

(2) Whether the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.

(3) Whether the proposed use shall not adversely affect the use of neighboring properties.

(4) Whether the proposed use shall not generate pedestrian and vehicular traffic that is hazardous or in conflict with the existing and anticipated traffic in the neighborhood.

(5) Whether utility, drainage, parking, loading, signs, lighting access and other necessary public facilities to serve the proposed use shall meet the adopted codes of the city.

(B) *Specific conditions.* The City Council may impose specific conditions regarding:

- (1) the duration of the permit,
- (2) the location, design, operation, and screening to assure safety,
- (3) to prevent a nuisance, and
- (4) to control the noxious effects of excessive sound, light, odor, dust or similar conditions.

7.6.4. *Status of Special Use Permits.* Once a special use permit has been granted for a lot, said special use permit may not be expanded to another lot without application for a new special use permit. Provided, however, churches may expand if the property on which said church will be located is owned, as reflected by official records kept by the Registrar of Deeds for Oklahoma County, Oklahoma, on or prior to June 22, 1982.

7.6.5. *Expiration of Special Use Permits.* All special use permits shall expire by default:

A) *Non-establishment.*

- (1) If the use is not established within twelve (12) months and no extension is approved.
- (2) When a building permit has not been issued for construction within twelve (12) months of City Council approval the applicant or owner may request a hearing for an extension of the initial special use permit approval.
- (3) Good cause for an extension shall mean that the owner shows evidence that he has contractors or applications for continual development within the next year following the original approval.

(B) *Discontinuance.* If the use once established has been discontinued for a period of twelve (12) months or abandoned.

(C) *Lack of substantial compliance.* Whenever the Community Development Director finds that any proposed construction or occupancy will not, in his opinion, substantially comply with the special use permit, he shall refer the question to the City Council for its review.

(D) *Amendment.* When the holder of a special use permit determines that an extension of time or modification of the use is necessary, he may apply for amendment in the same manner as the original application. The amendment shall be processed in the same manner as an original application.

*The following use is permitted in General Commercial District with a Special Use Permit:*

4.4.28. *Eating Establishments: Sit-Down, Alcoholic Beverages Permitted.* Establishments or places of business where customers are seated and served, and are engaged in the sale, mixing or dispensing of beverages containing alcohol by weight, or wine capable of being consumed as a beverage or any kind of on-premises consumption as accessory to a restaurant operation.

**History:**

1. Bibbs' BBQ passed all City occupancy inspections December 2023 and received Health Department approval/license.

**Next Steps:**

- If approved, the applicant will need to get a Letter of Compliance from Ms. Richey to submit to the ABLE Commission so they can serve alcohol. Applicant will also be required to apply for an alcohol license through the City's Customer Service Department.

**Staff Comments-**

*There are numerous requirement references made in the Engineering portion of this report. The intent of the Municipal Code is to directly involve the applicant in continued community development such as extending public sewer and water and making street improvements, for examples. This is a special use permit application and the references are provided to make the applicant and subsequent developers of this property aware of the applicability of various codes as they relate to the future development or redevelopment of this property.*

**Engineering Staff Comments:**

**Note: No engineering improvements are required with this application.**

**Water Supply and Distribution**

There are public water mains bordering the proposed parcel, a twelve (12) inch line running along the south side of N.E. 23rd Street and the west side of North Post Road. A six (6) inch line also runs along the west and south side of the subject property. Any new building permit will require tying to the public water system as outlined in Municipal Code 43-32.

**Sanitary Sewerage Collection and Disposal**

There is a public sewer main bordering the proposed parcel, an eight (8) inch line running along the south side of N.E. 23rd Street. Any new building permit will require tying into the public sewer system as outlined in Municipal Code 43-109.

**Streets and Sidewalks**

Access to the parcel is from N.E. 23rd Street and North Post Road using existing drives. N.E. 23rd Street is classified as a primary arterial in the 2008 Comprehensive Plan. North Post Road is classified as a secondary arterial in the 2008 Comprehensive Plan. Public road and sidewalk improvements are not required as part of this application.

**Drainage and Flood Control, Wetlands, and Sediment Control**

The area of request is shown to be in an Area of Minimal Flood Hazard on Flood Insurance Rate Map (FIRM) number 40109C0330H, dated December 18th, 2009. Public drainage and detention improvements are not required as part of this application.

**Easements and Right-of-Way**

No further easements or right of way would be required with this application.

**Planning Division:**

The subject property has changed occupancy, and the new tenant (Bibbs' BBQ) would like to serve alcohol at their restaurant. The property's current governing zone, Community Commercial District (C-3), does not permit the serving/sale of alcohol without a Special Use Permit.

Approving the Special Use Permit would allow for the outlined intents of the business to be in zoning compliance with the City.

Staff recommends approval of this application due to its satisfaction of the criteria described in Section 7.6.3 (A) of the Zoning Regulations. Staff finds the application is in harmony with both the Comprehensive Plan and the intent of the zoning district. The proposed use would not adversely impact adjoining properties, and will not generate pedestrian or vehicular traffic that is hazardous or in conflict with surrounding uses.

Action is at the discretion of the Planning Commission.

**Action Required:**

Approve or reject a Special Use Permit (SUP) to allow the use of Eating Establishments: Sit-Down, Alcoholic Beverages Permitted in the (C-3) Community Commercial District for the property noted herein, subject to staff comments as found in the January 2, 2024 Planning Commission agenda packet and made part of the PC-2160 file.

**Suggested Motion:**

*“To approve the Special Use Permit for 9820 NE 23<sup>rd</sup> Street to allow the use of Eating Establishments: Sit-Down, Alcoholic Beverages Permitted in the C-3, Community Commercial District subject to Staff Comments found in the January 2, 2024 Planning Commission agenda packet and made part of the PC-2160 file.”*

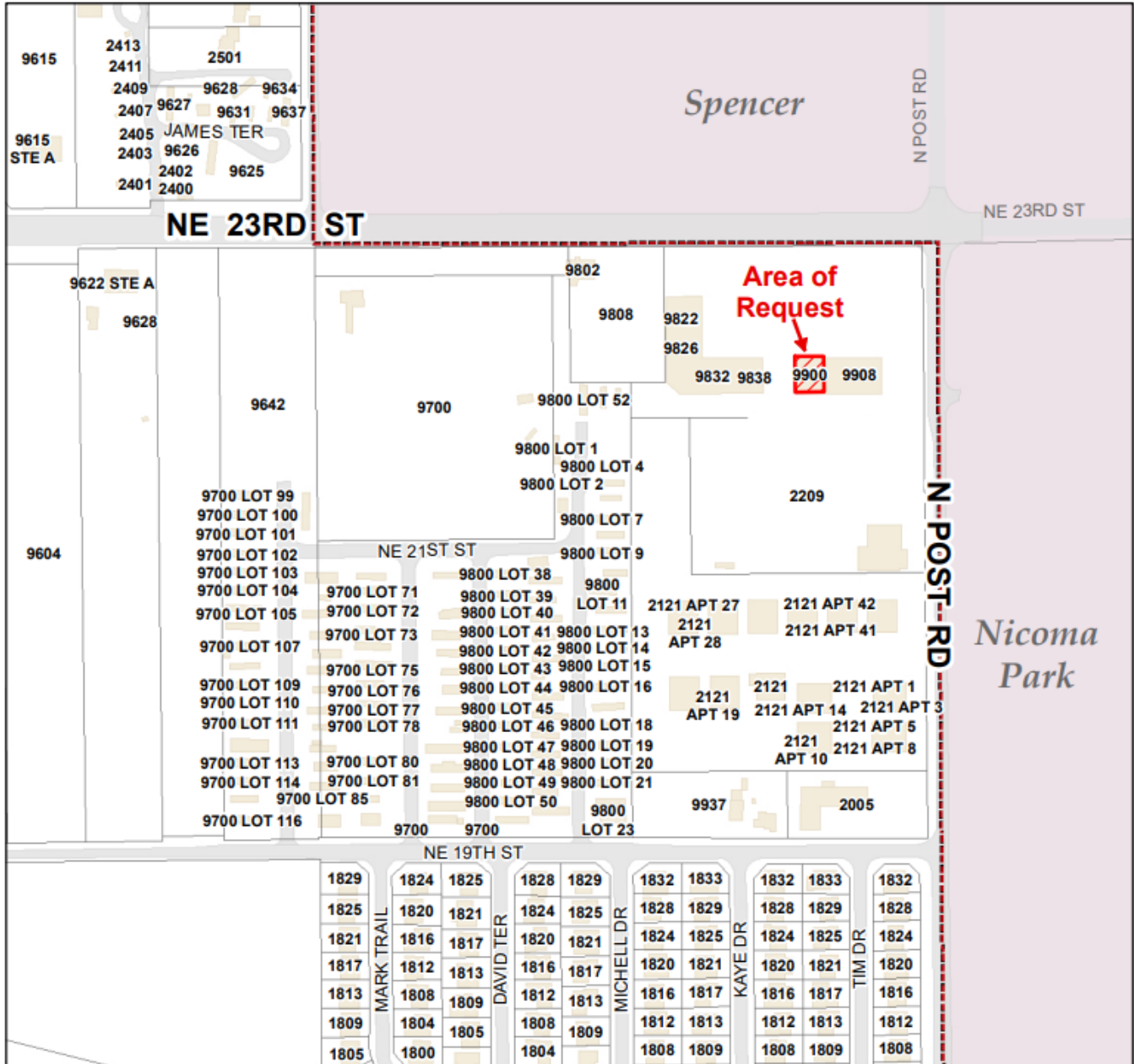
Please feel free to contact my office at (405) 739-1223 with any questions.



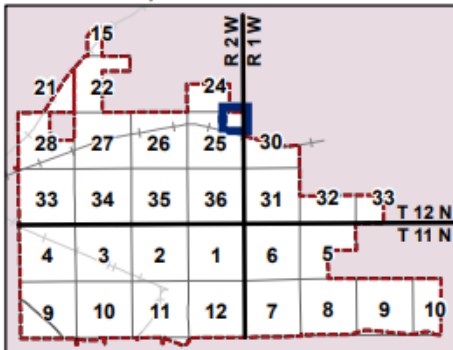
Emily Richey  
Current Planning Manager



Community Development / Information Technology - GIS



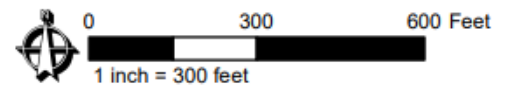
Locator Map



**General Map Legend**

- Area of Request
- Parcels with Addresses
- Buildings
- Edge of Pavement
- MWC City Limits
- Railroads**
- Active
- Inactive / Closed

**GENERAL MAP FOR  
PC-2160  
(NE/4, Sec 25, T12N, R2W)**



THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.

**To:** Chairman and Planning Commission  
**From:** Emily Richey, Current Planning Manager  
**Date:** January 2, 2024

**Subject:** (PC-2161) Public hearing, discussion, consideration, and possible action of a resolution to amend the Comprehensive Plan from Low Density Residential Land Use to Medium Density Residential Land Use; and an ordinance to redistrict from Single-Family Detached Residential District (“R-6”) to Two-Family Attached Residential District (“R-2F”), for the property described as a part of the Northeast Quarter (NE/4) of Section Ten (10), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 301 E. Marshall Dr., Midwest City.

**Executive Summary:** The applicant, Ms. Ebenezer Judy Adedun Sr., is requesting to amend the Comprehensive Plan to Medium Density Residential Land Use for the subject property and rezone the subject property from Single-Family Detached Residential District to Two-Family Attached Residential District.

There is an existing single-family residence on the property, and the applicant is proposing to convert it into one (1) duplex.

The lot size meets minimum lot size requirements for the R-2F zoning district. If rezone is approved, the development regulations for R-2F, Medium Density Residential District shall be observed as well as exterior construction requirements, and landscaping requirements.

Two (2) off-street parking spaces per dwelling unit shall be required.

Staff recommends separate water meters for billing purposes. If applicant chooses to use one meter to service both dwellings, the owner/property manager will be required to have services in their name at all times.

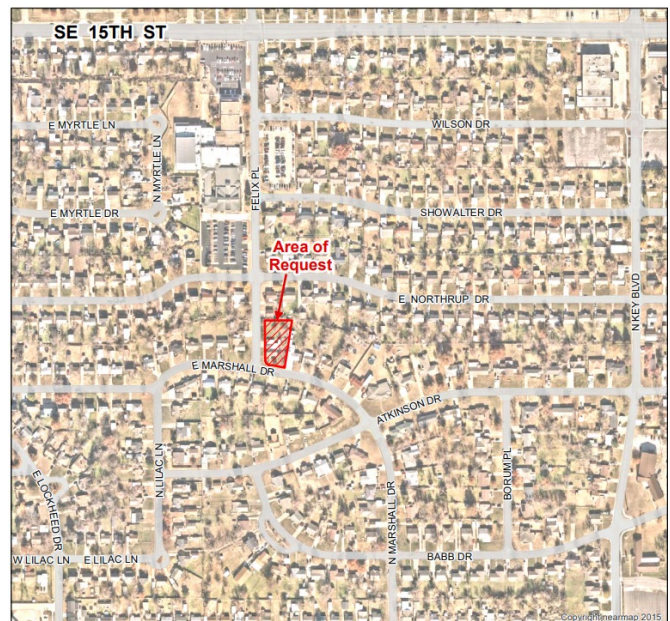
If rezone is approved, applicant will need to apply for all necessary building permits through the Engineering and Construction Services Department. All applicable code requirements shall be observed.

At the time of this writing, staff has not received any comments regarding this case.

Both state and local notification requirements were met.

Staff recommends approval of this rezone, but notes that proposal is subject to formal site plan review when building permit is pulled, as well as review from Engineering and Construction Services.

Action is at the discretion of the Planning Commission.



**Dates of Hearing:**

Planning Commission- January 2, 2024

City Council- January 23, 2024

**Date of Pre-Development Meeting:**

October 19, 2023

**Council Ward:** Ward 1, Susan Eads

**Owner:** New Beginning Apostolic Ministries, Inc.

**Applicant:** Ebenezer Judy Adedun Sr.

**Proposed Use:** Duplex

**Size:** The subject property contains an area of 0.28 acres, more or less.

**Development Proposed by Comprehensive Plan:**

Area of Request- Low Density Residential

North- Low Density Residential

South- Low Density Residential

East- Low Density Residential

West- Low Density Residential

**Zoning Districts:**

Area of Request- R-6, Single-Family Detached Residential District

North- R-6, Single-Family Detached Residential District

South- R-6, Single-Family Detached Residential District

East- R-6, Single-Family Detached Residential District

West- R-6, Single-Family Detached Residential District

**Land Use:**

Area of Request- Single-family residence

North- Single-family residence

South- Single-family residence

East- Single-family residence

West- Single-family residence

**Comprehensive Plan Citation:**

The future zoning land use for the subject lot is Single-Family Detached Residential. The proposed use is not supported by the Comprehensive Plan, therefore a resolution to the Comprehensive Plan must be made.

Medium Density Residential Land Use

This use is representative of two-family, attached dwelling units, such as duplex units and townhomes. Medium density land uses often provide areas for “empty nesters” who may not want the maintenance of a large-lot single-family home and for young families who may find a townhome or duplex more affordable than a single-family home. It is anticipated that new areas for medium density land use will be developed in the future.

In instances where a development proposal does not directly reflect the land use pattern for a site shown on the Future Land Use Map, the Comprehensive Plan directs us to consider the following (staff comments in bold):

- Will the proposed change enhance the site and the surrounding area?
  - **The proposed zone change would neither enhance nor detract from the site and the surrounding area. Renovation and upkeep of the existing structure (whether as a single-family residence or a duplex) would not be impacted by the proposed zone change.**
- Is the proposed change a better land use than that recommended by the Future Land Use Plan?
  - **The proposed change is neither better nor worse than the use recommended by the Future Land Use Plan. The site is suitable for single-family and two-family zoning.**
- Will the proposed use impact adjacent residential areas in a negative manner? Or will the proposed use be compatible with, and/or enhance, adjacent residential areas?
  - **The proposed use would not affect adjacent residential areas in a negative manner. The proposed use would still be residential, but with an additional dwelling unit on the site.**
- Are uses adjacent to the proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility?
  - **The proposed use would have many similar characteristics to the surrounding uses in terms of appearance, hours of operation, and other aspects.**
- Does the proposed use present a significant benefit to the public health, safety, and welfare of the community? Would it contribute to the City's long-term economic well-being?
  - **The proposed use provides the benefit of renovating an existing structure to provide two residences instead of the single residence it currently is.**

Overall, the proposed zoning change from single-family to two-family residential would not adversely impact the surrounding area. However, amending the Future Land Use Plan from Single-Family Detached Residential to Medium-Density Residential does represent a larger shift. While ultimately staff supports the amendment to the Comprehensive Plan, we do not think it would be appropriate to develop this site as anything more intensive than a two-family development.

#### **Municipal Code Citation:**

2.8. – R-2F, Two-family Attached Residential District

2.8.1. *General Description.* This district allows two-family attached dwellings. The principal use of land is for two-family attached dwellings with provisions for accommodating the sale of individual attached units. Related recreational, religious, and educational uses normally located to service residential areas are also permitted to provide the basic elements of convenient, balanced, and attractive living areas.

Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship and arrangement of each element.

#### **History:**

1. This property is part of the Country Estates Addition Plat, approved in 1947.

#### **Next Steps:**

If Council approves this rezone, the applicant will need to apply for the appropriate building permits through the Engineering and Construction Services Department.



**Staff Comments-**

*There are numerous construction requirement references made in the Engineering, Fire Marshal, and Public Works portions of this report. The intent of the Municipal Code is to directly involve the applicant in continued community development activities such as extending public sewer and water and making street improvements, for examples. This is a rezoning application and the construction references are provided to make the applicant and subsequent developers of this property aware of their applicability as they relate to the future development or redevelopment of this property.*



**Google Earth Image of Property (View from Marshall Drive - 2014)**



**Google Earth Image of Property (View from Felix Place - 2017)**

**Engineering Staff Comments:**

**Note: No engineering improvements are required with this application.**

Water Supply and Distribution

There are public water mains bordering the proposed parcel, a six (6) inch line running along the south side of East Marshall Drive and an eight (8) inch line running along the east side of Felix Place. Any new building permit will require tying to the public water system as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

There is a public sewer main bordering the proposed parcel, an eight (8) inch line running along the north side of the proposed parcel. Any new building permit will require tying into the public sewer system as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the parcel is from Felix Place using an existing drive and is also bordered by East Marshall Drive. East Marshall Drive is classified as a local road in the 2008 Comprehensive Plan. Felix Place is classified as a local road in the 2008 Comprehensive Plan. Public road and sidewalk improvements are not required as part of this application.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is shown to be in an Area of Minimal Flood Hazard on Flood Insurance Rate Map (FIRM) number 40109C0310H, dated December 18th, 2009. Public drainage and detention improvements are not required as part of this application.

Easements and Right-of-Way

No further easements or right of way would be required with this application.

**Fire Marshal's Comments:**

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

**Public Works' Comments:**

Line Maintenance

*Water*

- Water meter(s) shall be installed in "green belt" per Midwest City Municipal Code Section 43-54.

*Sewer*

- No comments.

Sanitation

- No comments.

Stormwater

- No comments.

**Planning Division:**

Staff met with the applicant October 19, 2023 for a pre-development meeting. The subject lot currently has a single-family residence.

If the rezone application is approved, the development regulations for R-2F, Two-family Attached Residential District shall be observed as found in Midwest City Municipal Code Section 3.2.- Area Regulations and Standards for Residential Districts.

Exterior construction requirements and standards as outlined in Midwest City Municipal Code Section 5.12.1.

- Shall have one hundred (100) percent masonry materials on sides of the ground floors (facades) facing a public street.
- Shall consist of eighty-five (85) percent masonry materials.
- Prohibited: Concrete masonry units, concrete panel construction, vinyl siding, wood engineered or manufactured wood, medium density fiberboard, particle board or Masonite shall be prohibited in the construction of residential units.
- Approved materials for residential construction include: brick, rock, stone, stucco, and cementitious fiberboard.

Per Table 5.3-2: Specific Parking Requirements, two (2) spaces per dwelling unit shall be required for two-family attached residential (duplexes).

Staff recommends separate water meters for billing purposes. If applicant chooses to use one meter to service both dwellings, the owner/property manager will be required to have services in their name at all times.

Staff recommends approval of this rezone request and amendment of the Comprehensive Plan based on the analysis and comments above. Staff notes that if this application is approved, redevelopment/renovation is still subject to formal site plan review when plans are submitted with the permit application.

**Action Required:**

Approve or reject to amend the Comprehensive Plan from Low Density Residential Land Use to Medium Density Residential Land Use; and to approve or reject the ordinance to redistrict from Single-Family Detached Residential District (“R-6”) to Two-Family Attached Residential District (“R-2F”) for the property noted herein, subject to staff comments as found in the January 2, 2024 agenda packet and made part of PC-2161 file.

**Suggested Motions:**

*“To approve the resolution amending the Comprehensive Plan to Medium Density Residential Land Use subject to Staff Comments found in the January 2, 2024 Planning Commission agenda packet and made a part of the PC-2161 file.”*

*“To approve the ordinance redistricting Block 6; Lot 24 of Country Estates Addition to the Two-family Attached Residential zoning district subject to Staff Comments found in the January 2, 2024 Planning Commission agenda packet and made a part of the PC-2161 file.”*

Please feel free to contact my office at (405) 739-1223 with any questions.



Emily Richey

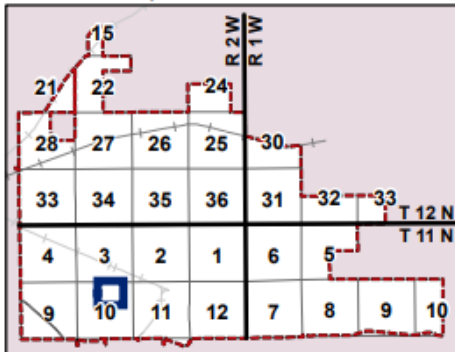
Current Planning Manager










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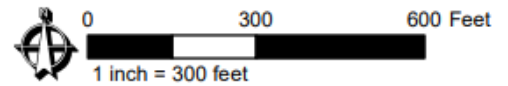
Locator Map



**General Map Legend**

-  Area of Request
-  Parcels with Addresses
-  Buildings
-  Edge of Pavement
-  MWC City Limits
- Railroads**
-  Active
-  Inactive / Closed

**GENERAL MAP FOR  
PC-2161  
(NE/4, Sec 10 T11N, R2W)**



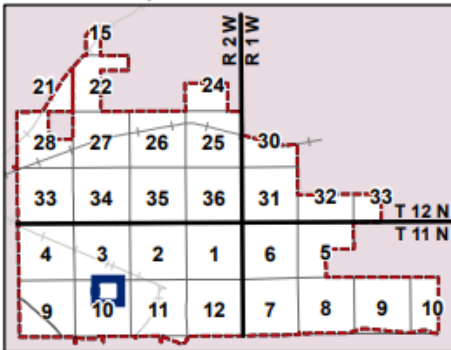
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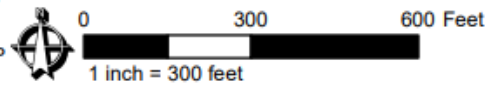
Locator Map



Current Zoning Legend

A-1	I-2 SUP	R-35
A-1 SUP	I-3	R-2F
C-1	O-1	R-MD
C-1 SUP	O-1 SUP	R-MD SUP
C-2	O-2	R-HD
C-2 SUP	O-2 SUP	R-HD SUP
C-3	R-6	R-MH-1
C-3 SUP	R-6 SUP	R-MH-2
C-4	R-8 SUP	PUD
C-4 SUP	R-8	SPUD
I-1	R-10	HOS
I-2	R-22	HOS SUP

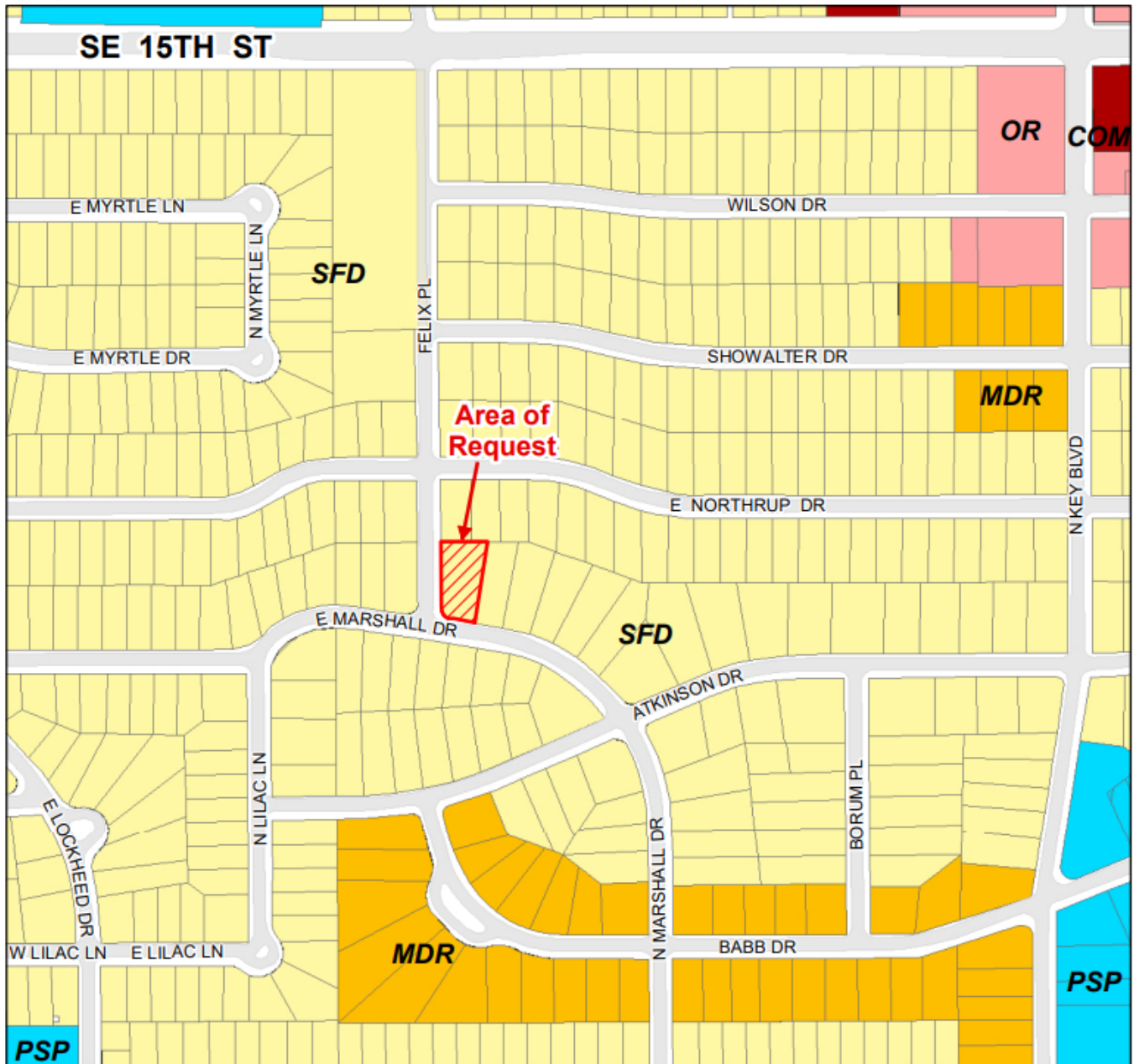
## ZONING MAP FOR PC-2161 (NE/4, Sec 10 T11N, R2W)



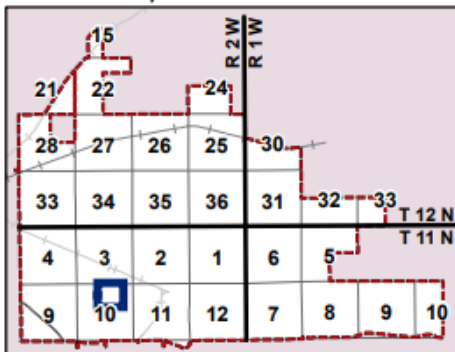
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Community Development / Information Technology - GIS



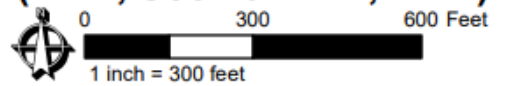
Locator Map



Future Land Use Legend

- Single-Family Detached Residential
- Medium Density Residential
- High Density Residential
- Manufactured Home
- Public/Semi-Public
- Parks/Open Space
- Office/Retail
- Commercial
- Industrial
- Town Center

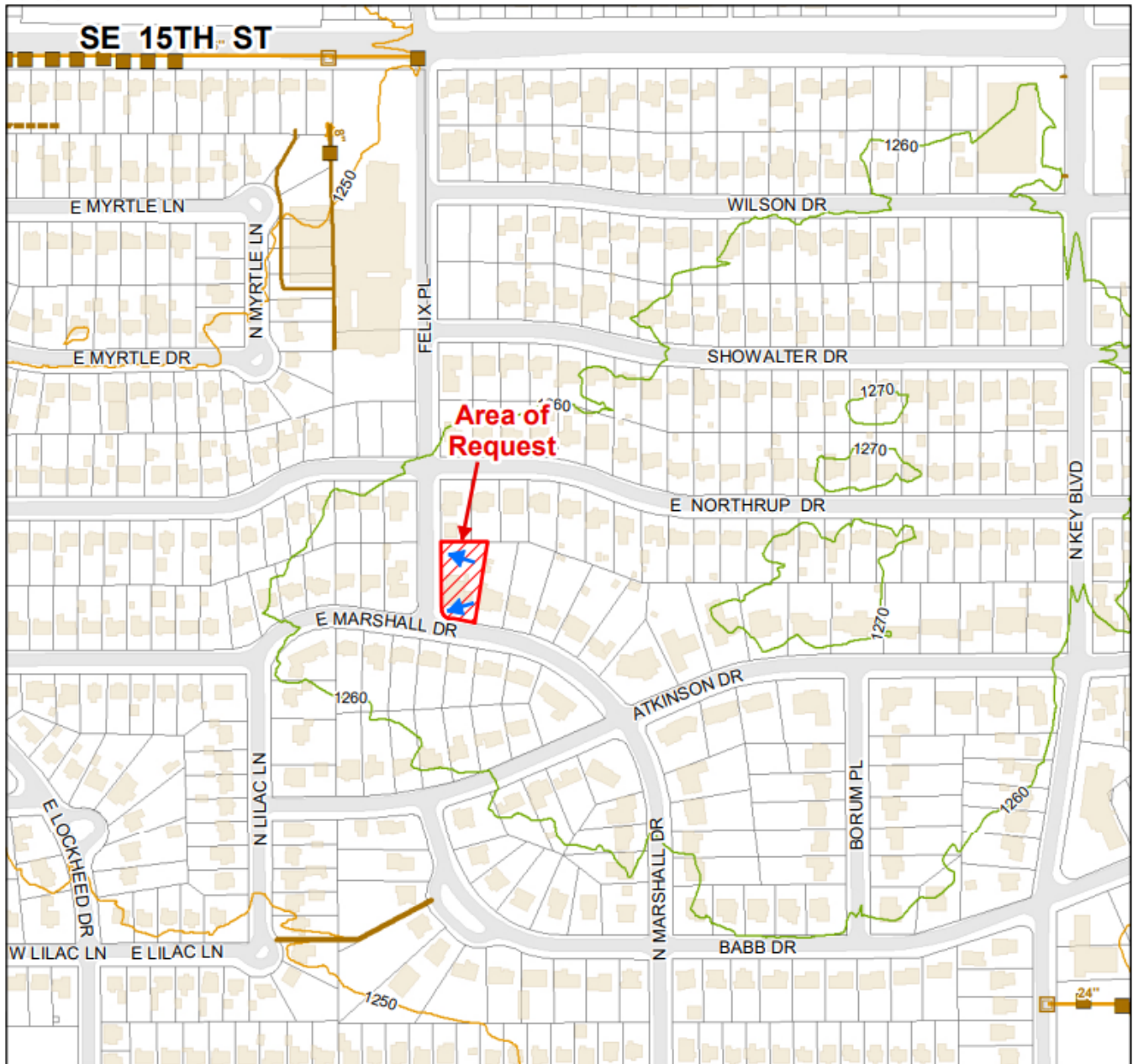
**FUTURE LAND USE  
MAP FOR  
PC-2161  
(NE/4, Sec 10 T11N, R2W)**



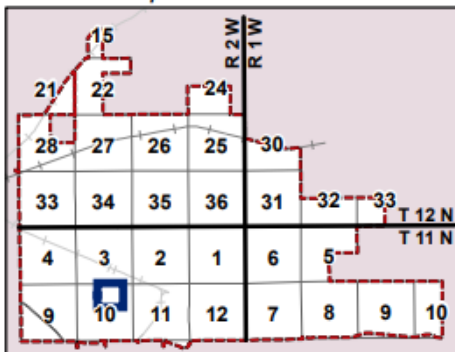
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Community Development / Information Technology - GIS



Locator Map

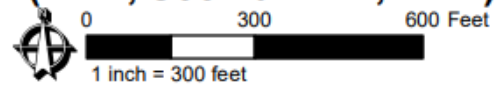


- Drainage Legend**
- Curb Inlets
  - Inlets
  - Junction Box
  - Culverts
  - Flumes
  - Developed Channels
  - Trickle Channels
  - Undeveloped Channels
  - Storm Lines
  - Creeks
- ELEVATION**
- 1166-1204 ft
  - 1204-1228 ft
  - 1228-1250 ft
  - 1250-1278 ft
  - 1278-1324 ft

**2009 FEMA Floodplains**

- 500-yr floodplain
- 100-yr floodplain
- 2009 FEMA Floodway

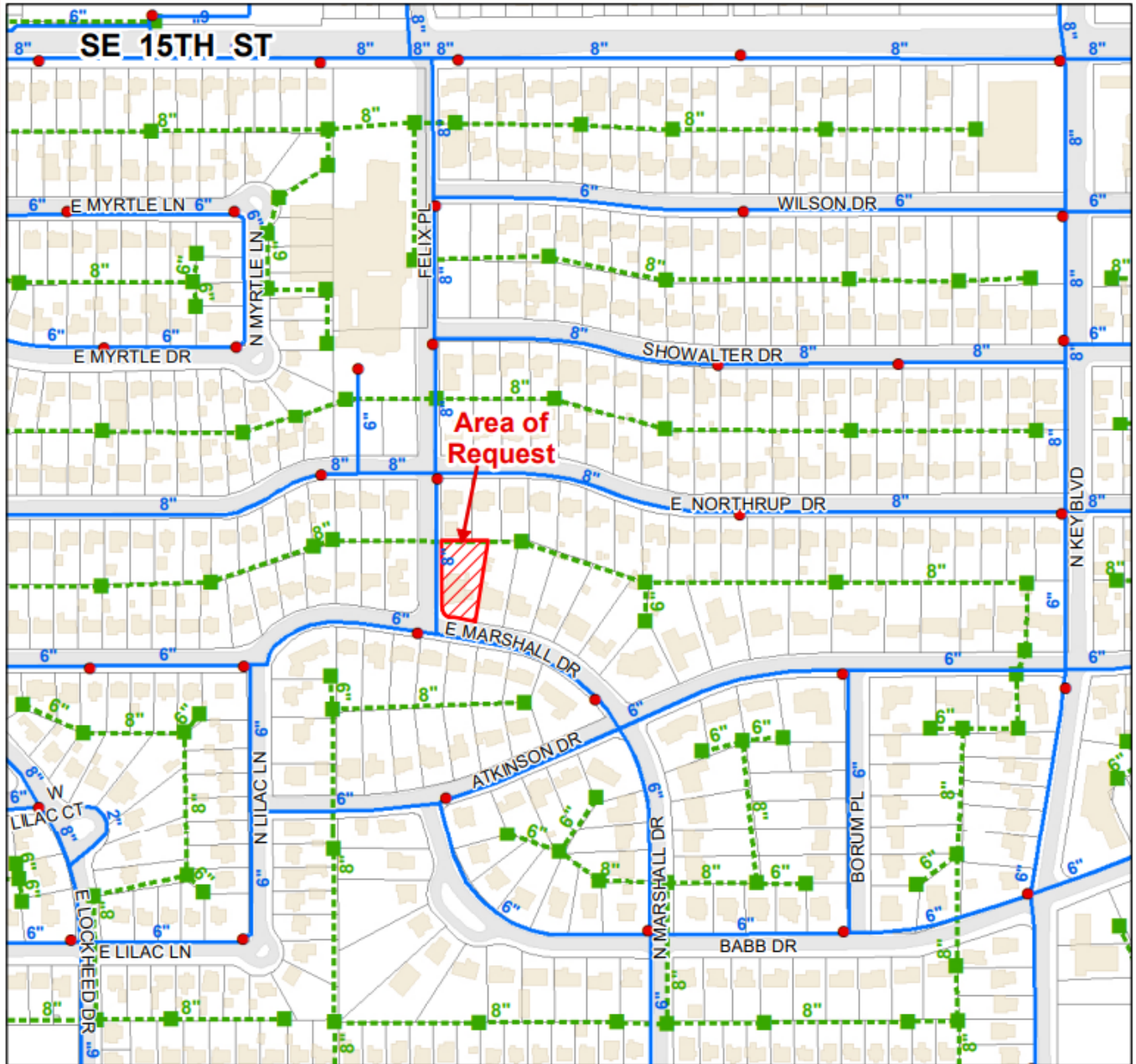
**DRAINAGE  
LOCATION MAP FOR  
PC-2161  
(NE/4, Sec 10 T11N, R2W)**



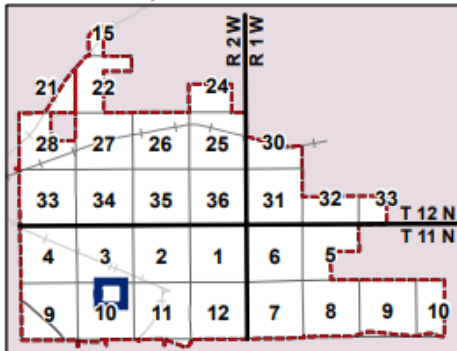
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Locator Map



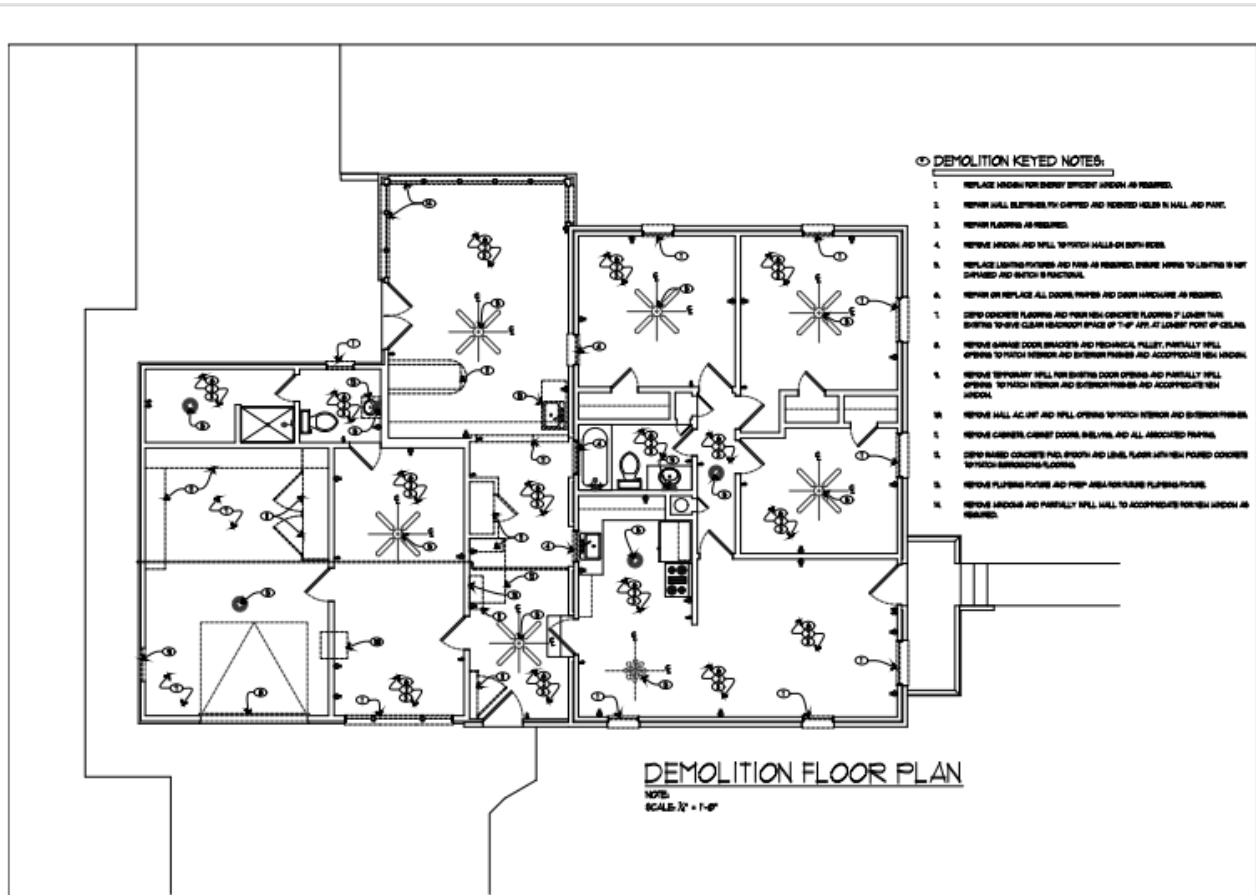
**Water/Sewer Legend**

- Fire Hydrants
- Water Lines
  - Distribution
  - Well
  - - - OKC Cross Country
  - - - Sooner Utilities
  - - - Thunderbird
  - - - Unknown
- Sewer Manholes
- - - Sewer Lines

**WATER/SEWER LINE  
LOCATION MAP FOR  
PC-2161  
(NE/4, Sec 10 T11N, R2W)**

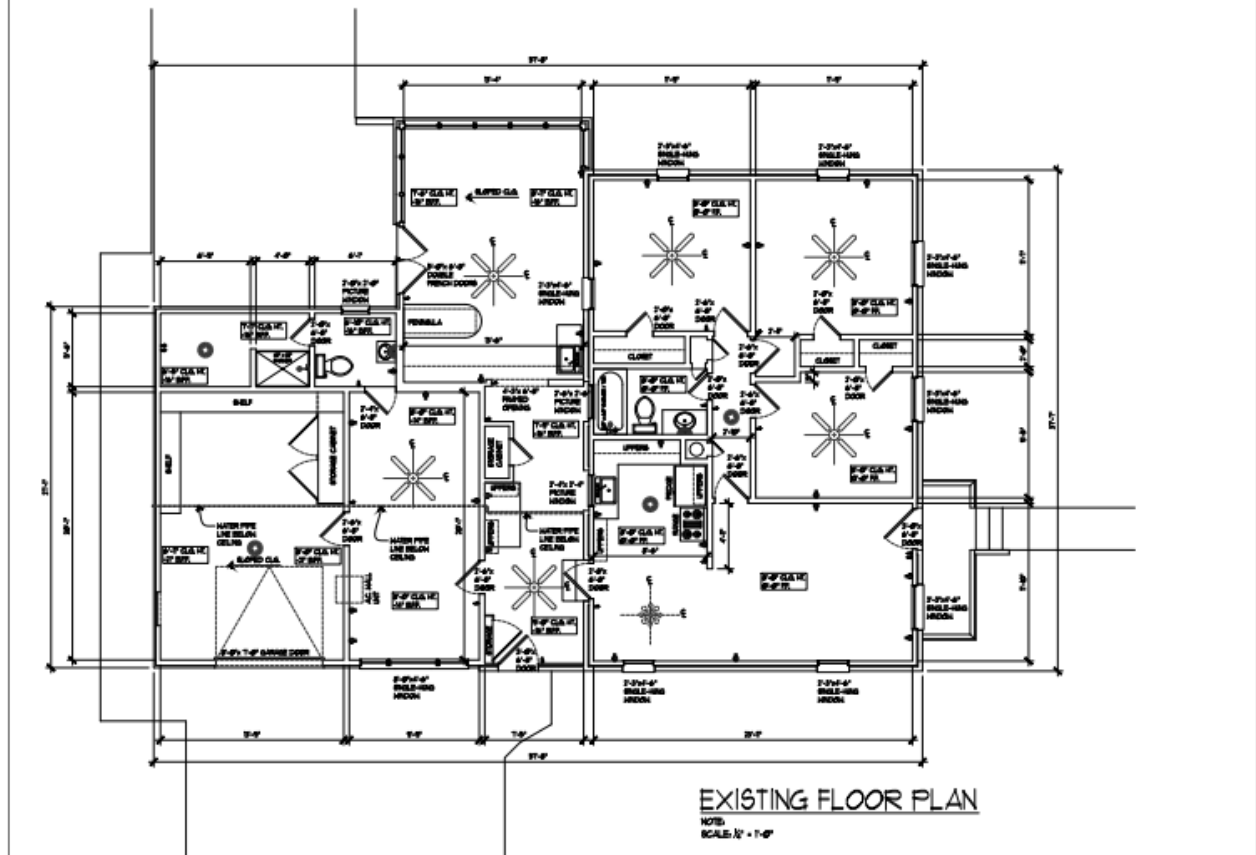
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DEMOLITION FLOOR PLAN

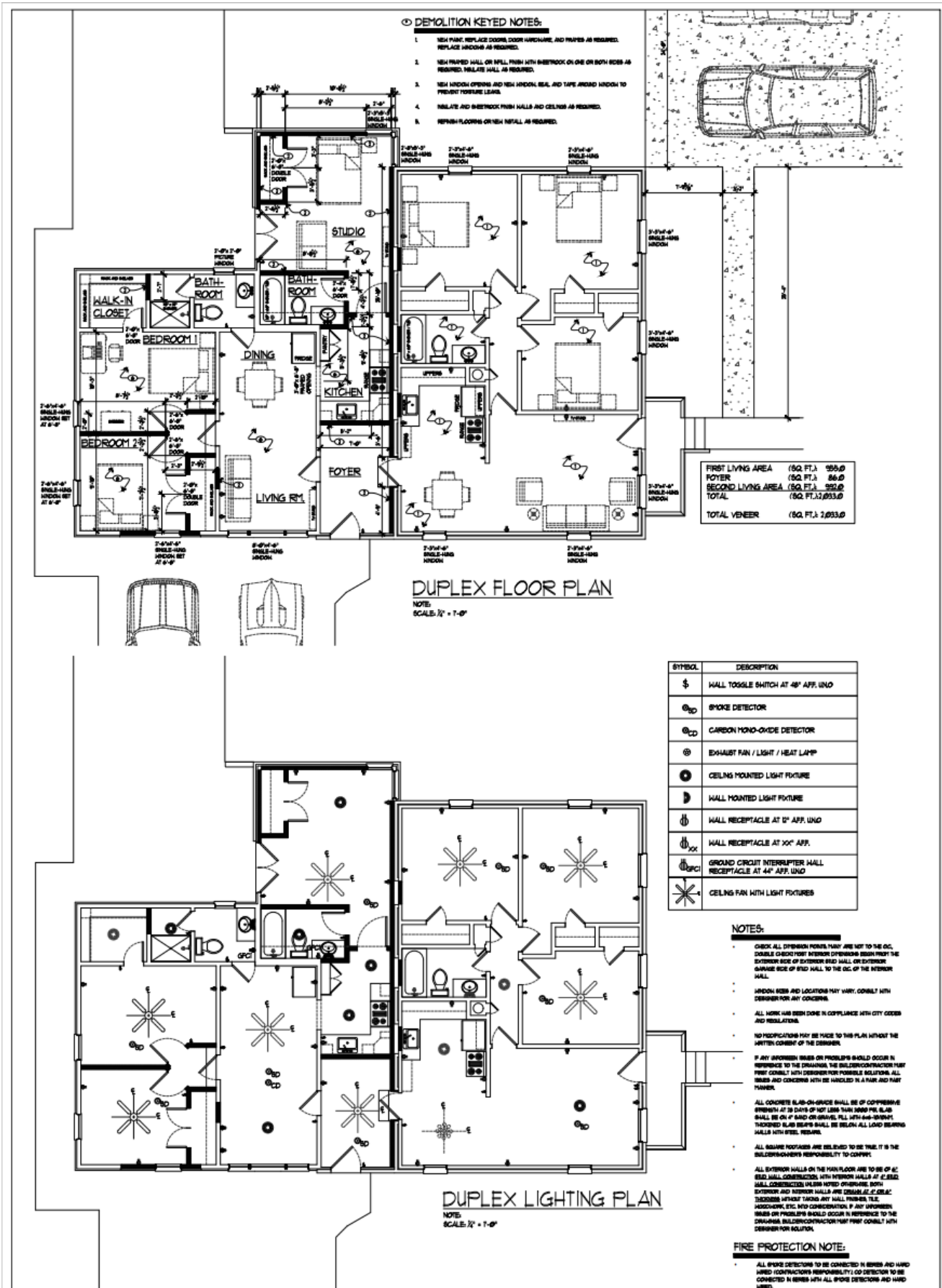
NOTE:  
SCALE: 1/4" = 1'-0"

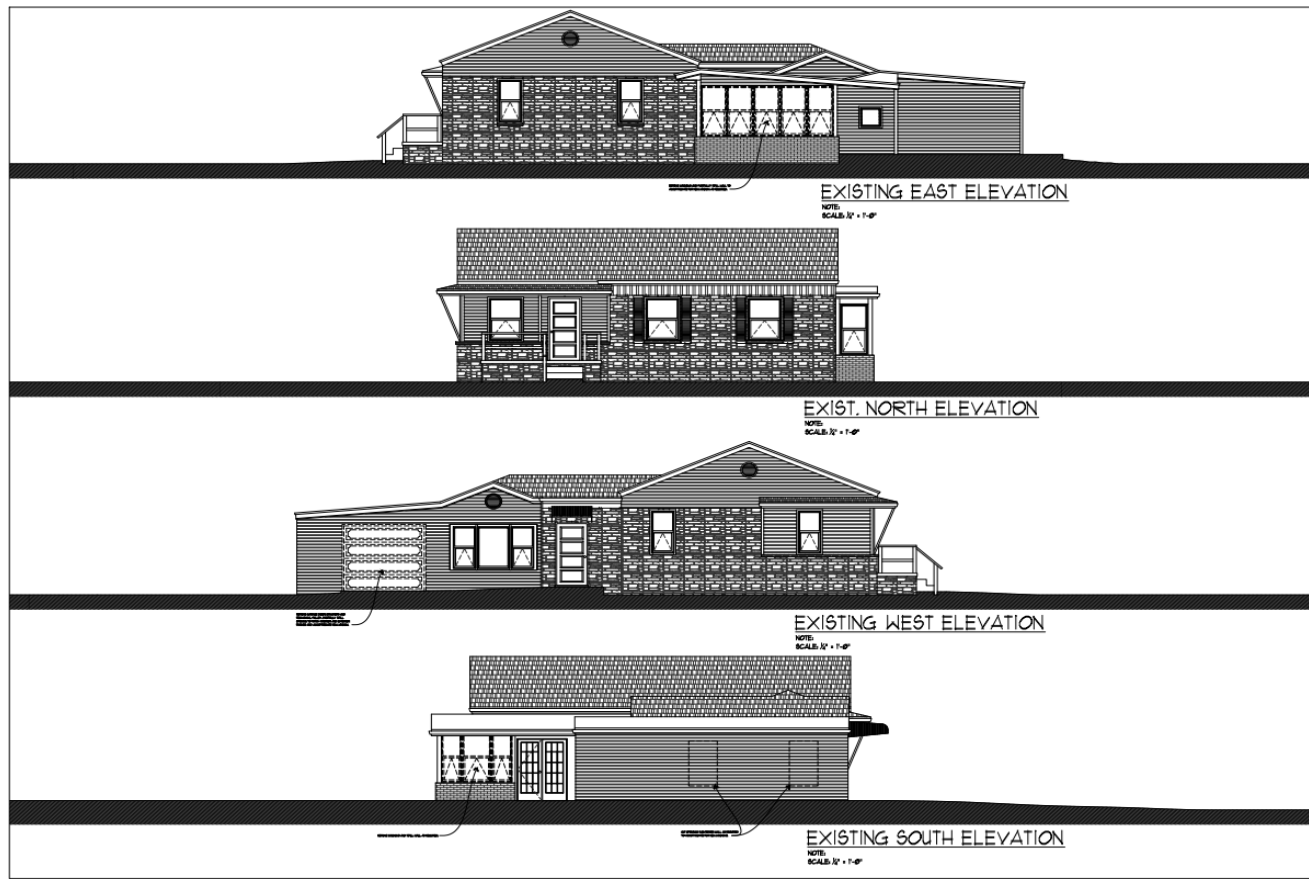


EXISTING FLOOR PLAN

NOTE:  
SCALE: 1/4" = 1'-0"

	CLIENT: CHRISTINA MANNINGS	DRAWN BY: NANA ASARE	<table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>COMMENTS</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DATE	COMMENTS							TARANA DESIGNS INC. EDMOND, OK (405) 269-2335
	NO.	DATE		COMMENTS									
LOCATION: 301 E MARSHALL DR.	CHECKED BY: NANA ASARE DATE: 1-28-2023 SCALE: 1/4" = 1'-0"												





TARANA DESIGNS INC. EDYOND, OK (405) 769-2335	
DATE	COMMENTS
DESIGNER: VANA JAMES	SCALE: 1/4" = 1'-0"
CHECKER: VANA JAMES	SCALE: 1/4" = 1'-0"
CLIENT: CHRISTINA MANNINGS	LOCATION: 301 E MARSHALL DR
SHEETS	
4	5



TARANA DESIGNS INC. EDYOND, OK (405) 769-2335	
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