

NOTICE: Agenda posted in the lobby and on the front door of Bethany City Hall, 6700 NW 36th St., Bethany, OK 73008 on Thursday, October 26, 2023, at 11:00 a.m.

The City of Bethany encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The city may waive the 48-hour rule if signing is not the necessary accommodation.

(PLANNING AND ZONING COMMISSION MEETING WILL BE HELD IN THE CITY COUNCIL CHAMBER AT BETHANY CITY HALL - 6700 NW 36TH ST., BETHANY, OK 73008)

AGENDA
CITY OF BETHANY
PLANNING AND ZONING COMMISSION
NOVEMBER 2, 2023
7:00 P.M.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES OF OCTOBER 19, 2023

EXPLANATION OF PROCEDURE TO AUDIENCE

PLANNING AND ZONING COMMISSION BUSINESS

ITEM 1: PC 23-13

Consider a request from Frank McLendon, applicant & property owner, to amend the approved PUD for Bethany Village, located at the NW corner of NW 36th Street and N Divis Avenue. **The Bethany City Council will vote on this item on November 21, 2023.**

LEGAL DESCRIPTION:

SE Qtr. Sect. 17 T12N-R4W (I.M.) Bethany, Oklahoma County, Oklahoma;
said tract being more particularly described as follows:
COMMENCING at the Southwest corner of said SE/4; thence
N89°42'12"E along the South line of said SE/4 a distance of 1540.25 feet; thence
N00°17'48"W a distance of 33.00 feet to the POINT OF BEGINNING; thence
N00°42'07"W a distance of 600.01 feet; thence
N89°42'12"E a distance of 177.00 feet; thence
N00°02'01"W a distance of 160.00 feet; thence
N89°42'12"E a distance of 230.00 feet; thence
S00°02'12"W a distance of 400.00 feet to the POINT OF BEGINNING
Said tract contains 278,901 square feet or 6.40 Acres, more or less.

NEW BUSINESS

ADJOURNMENT UNTIL NOVEMBER 16, 2023

MINUTES
CITY OF BETHANY
PLANNING AND ZONING COMMISSION
OCTOBER 19, 2023

MEMBERS PRESENT: Charles Snyder, Chair
Justin Peck, Vice-Chair
Robert Helton
James Clemmer
Kent Lynn
Steve Marx
Trent Reid

MEMBERS ABSENT: Ron Crouch

STAFF PRESENT: Ray Jones, City Attorney
Amanda McCellon, Comm. Dev. Director
Linda Hlinicky, Adm. Assistant

Charles Snyder, Chair called the meeting to order. Steve Marx gave the invocation. Motion was made by Steve Marx, seconded by James Clemmer to approve the August 3, 2023 Planning and Zoning Commission minutes as mailed. The votes are as follows: AYE- Charles Snyder, Justin Peck, Robert Helton, James Clemmer, Kent Lynn, Steve Marx, Trent Reid. NAY- None. ABSTAIN- None. The motion carried unanimously 7 -0.

ITEM 1: **PC 23-10**
Continue a discussion by the Planning & Zoning Commission regarding a short-term rental ordinance.

ACTION: Amanda McCellon, Comm. Dev. Director opened the meeting to discuss the proposed short-term rental ordinance. Input from citizens, city staff and developers have called for an ordinance for short-term rentals since 2018. The ordinance would benefit the city by allowing us to license and inspect homes. Also, hold property owners accountable in the case of code violations and nuisances. The ordinance would ensure we are getting the hotel/motel tax that those entities should be paying.

Amanda McCellon, Comm. Dev. Director reviewed how some of the surrounding city's ordinances are handling short-term rentals.

Amanda McCellon, Comm. Dev. Director stated staff went through the ordinance with some of the questions we had from the last discussion meeting and answered them. How do we know how much hotel tax each will pay and if they are paying? Operators will pay the standard hotel/motel tax, and the Finance Department will monitor whether the tax is being paid.

Amanda McCellon, Comm. Dev. Director discussed will attached or detached garages or sheds be allowed to host short-term rentals, the answer is no.

There was some discussion about going through the special use permit request process, the general consensus was that would possibly be more of a hassle.

Ray Jones, City Attorney said the special use permit requirements would be a lengthy process.

Charles Snyder, Chair asked if we find someone that does not have insurance after they have been permitted, do we cancel their permit? Then the applicant would have to re-apply.

Amanda McCellon, Comm. Dev. Director we certainly could.

Ray Jones, City Attorney said if there is not a clause in the proposed ordinance, we could add a simple clause that states, "a violation of any of these terms would cause revocation of the permit". Put it like you have to remedy the issue within thirty (30) days.

Charles Snyder, Chair suggested also put in there that once revocation occurs, you cannot reinstate that permit/license. Also, license/permits will not be transferrable.

Amanda McCellon, Comm. Dev. Director noted none of our permits are transferable.

Amanda McCellon, Comm. Dev. Director explained our next step will be to have a public hearing scheduled for Planning and Zoning Commission and City Council and get the ordinance finalized.

Charles Snyder, Chair stated other than some spelling corrections, the main thing we talked about was the loss of the permit and re-applying if there is a revocation.

Commissioner Helton would like "local contact person" to be a little bit more defined. Someone be there in person in a certain amount of time.

After some discussion on local contact person, Commissioner Snyder suggested we could incorporate something like, "if the owner is not locally available, the owner will have a designated contact person".

Motion was made by Kent Lynn, seconded by Trent Reid to approve the proposed short-term rental ordinance with the following adjustments:

- Make typo corrections; and
- Add a "revocation process" to ordinance; and
- "Contact Person" be a little more defined.

The votes are as follows: AYE- Charles Snyder, Justin Peck, James Clemmer, Kent Lynn, Steve Marx, Trent Reid. NAY- Robert Helton. ABSTAIN- None. The motion carried unanimously 6-1-0.

Commission Snyder asked how are we going to notify the BRBO's etc.

Amanda McCellon, Comm. Dev. Director stated we will specifically reach out to Air B&B and BRBO and make them aware of the short-term rental ordinance. We can do Facebook and media posts.

NEW BUSINESS

Amanda McCellon, Comm. Dev. Director stated the Salazar business park property at 4107 N. Council Rd. is 75% leased out. There is a new farmers market under construction across the street from the Post Office. We are working on a plat for a new senior living development on NW 30th St. At your next Planning and Zoning Commission, the Bethany Village duplexes will be coming back. Frank McClendon, Applicant is asking to amend the PUD rezoning request that was approved earlier. Also, there are going to be numerous bond projects starting soon.

Motion was made by Kent Lynn, seconded by Steve Marx to adjourn. The motion carried unanimously 7 - 0.

Chair

Date



City of Bethany

Planning & Zoning Staff Report

November 2, 2023

CASE NO: PC 23-13

Request: Consider a request by Frank McLendon, applicant & property owner, for an amendment to the existing PUD at the NW corner of NW 36th Street and N Divis Avenue (Bethany Village).

Applicant: Coast to Coast Motors LLC., property owner and applicant.

Legal Description: Sect. 17-T12N-R4W SE Qtr. (I.M.)

- Sect 17-T12N-R4W Qtr. SE (I.M.) Bethany, Oklahoma County, Oklahoma;

said tract being more particularly described as follows:

COMMENCING at the Southwest corner of said SE/4; thence

N89°42'12"E along the South line of said SE/4 a distance of 1540.25 feet; thence

N00°17'48"W a distance of 33.00 feet to the POINT OF BEGINNING; thence

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N89°42'12"E a distance of 177.00 feet; thence

N00°02'01"W a distance of 160.00 feet; thence

N89°42'12"E a distance of 230.00 feet; thence

S00°02'12"W a distance of 400.00 feet to the POINT OF BEGINNING

Said tract contains 278,901 square feet or 6.40 Acres, more or less.

Current Zoning: PUD (Planned Unit Development)

Amendment Requested: Change of minimum rear yard setbacks on Lots 1-18, Block 3, from 15 feet to 10 feet.

Surrounding Zoning:

Direction	Zoning
North	E-I
South	R-M
East	R-1 & R-2
West	E-I

Table 1

Lot Characteristics:

	Characteristic
Use	Duplex Development
Area (ft²)	278,897
Development	2023
Structures	27 duplexes

Table 2

Background:

The PUD for Bethany Village was approved by the Bethany City Council in October of 2020, and permitted the construction of 27 duplex units. A final plat was approved in September of 2021, and improvements were accepted in May of 2023. The PUD statement requested 7,500ft² lots (as opposed to 9,000 ft²), 5 ft side yard setbacks for interior lots (as opposed to 10 ft & 5 ft), and 10 ft for corner lots (as opposed to 25 ft), and a maximum lot coverage of 45% (as opposed to 30% maximum lot coverage).

A PUD must be developed to the exact standards established in its respective PUD statement. Any change made to the PUD must be the result of an approved PUD amendment, which may be voted on by the Bethany City Council.

Analysis:

The Bethany Village PUD includes a central utility easement which carries water, sewer, and electricity to Lots 1-18. Like all easements, this allows for routine maintenance and repairs of utility lines to take place, and to provide appropriate separation of dwelling unit and utility.

In September 2023, the applicant notified city staff of an error in the construction of some of the duplexes, which encroached on the setback by approximately two feet. After reviewing the approved PUD statement, staff recommended to the applicant to either alter the dwelling units to conform to the PUD or to amend the PUD.

The applicant elected to amend the PUD, and submitted a revised PUD statement in late September 2023, with the affected rear setback being changed from 15 feet to 10 feet. Engineering staff have stated that the amended PUD would not be hazardous to the health, safety, and welfare of the duplexes.

Required Action: Hold a public hearing to provide a recommendation to either approve or deny the applicant's request for an amendment to the Bethany Village PUD that would change an interior utility easement from 15 feet to 10 feet.

Attachments:

- Aerial Photographs
- Zoning Map
- Amended PUD Statement
- Certified Owners List
- Application Documents
- Public Notification

RESIDENTIAL

**THE CITY OF BETHANY
PLANNED UNIT DEVELOPMENT**

PUD AMENDMENT

DESIGN STATEMENT

FOR

BETHANY VILLAGE

March 18, 2020

Revised October 1, 2020

Amendment Date September 28, 2023

Approved _____

By: _____

Name:

Title: _____

PREPARED BY:

Crafton Tull
300 Pointe Parkway Boulevard
Yukon, Oklahoma 73099
P 405.787.6270 F 405.787.6276
E kendall.dillon@craftontull.com

PREPARED FOR:

McLendon Contracting
22495 Lindy Terrace
Edmond, Oklahoma 73025
P 405.657-7909
mclendon.frank@yahoo.com

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RESIDENTIAL

SECTION 1.0 INTRODUCTION

The Planned Unit Development (PUD) of Bethany Village, consisting of 6.44 acres is located within the SE/4 of Section 17, Township 12 North, Range 4 West, of the Indian Meridian, Oklahoma County, Bethany, Oklahoma. The subject property is generally located north of N.W. 36th Street, West of N Divis Ave and East of Eldon Lyon Park.

SECTION 2.0 LEGAL DESCRIPTION

The legal description of the overall property comprising the proposed PUD of Bethany Village is described in Exhibit A, attached and is made a part of this Design Statement.

SECTION 3.0 OWNER / DEVELOPER

The owner / developer of this property described in Section 2.0 is; McLendon Contracting, 22495 Lindy Terrace, Edmond, Oklahoma 73025.

SECTION 4.0 SITE AND SURROUNDING AREA

The subject property is currently zoned E-1 Educational Institution District and is vacant. Surrounding properties are zoned and used for:

North: Eldon Lyon Park

South: "R-M" Multi-Family Residential District and is used for as such

East: "R-1" and "R-2" Residential District and is used for residential and sports fields

West: Eldon Lyon Park

SECTION 5.0 PHYSICAL CHARACTERISTICS

The highest elevation of the subject property is 1333 at the southeast property line, while the lowest elevation is 1316 at the northwest boundary. The site general slopes from N. Divis Ave. westward to Eldon Lyon Park. The subject site general drains onto the park. The majority of the site is vegetated with a canopy of deciduous trees. The perimeter along the east and west boundary of the site contains an evergreen screen. The subject site is not located within a FEMA designated 100-year floodplain or floodway. The site was previously developed and still contains a circle drive and an adjacent dilapidated parking lot.

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SECTION 6.0 CONCEPT

The concept for this PUD is for a duplex product of multi-family residential development.

6.1 DEVELOPMENT AND SUBDIVISION VARIATIONS

On-Street maneuvering into parking spaces shall be permitted. The location of the On-Street maneuvering shall only be permitted within the frontage of a common area lot. All parking spaces shall be located on private property.

SECTION 7.0 SERVICE AVAILABILITY

7.1 STREETS

The adjacent street to the east is N. Divis Ave. and has a right-of-way width of 60-feet. Much of the block along N. Divis Ave. from NW 36th Street to NW 39th Street has angled parking on the east side which serves the ballfields and is paved to a rural standard. The adjacent street to the south of the property is NW 36th Street, has a varying right-of-way width. The right-of-way is 50-feet from centerline to the south property line and is 50-feet from centerline to the south right-of-way, paved to an urban standard.

Streets that are proposed in this PUD shall be public streets built to Bethany City's standards and shall have right-of-way widths of 50-feet.

7.2 SANITARY SEWER

Sanitary sewer facilities for this property are available. There is an 8-inch sanitary sewer line that flows north to NW 39th Street and is located on the eastern side of the subject property.

7.3 WATER

Water facilities for this property are available. There is an existing 8" water line running along the north side of NW 36th Street. A fire hydrant is located adjacent to the existing entrance.

7.4 FIRE PROTECTION

Bethany Fire & Rescue is located at 3919 N Rockwell Ave., 750 feet from the entrance into the project.

7.5 GAS SERVICE, ELECTRICAL SERVICE, AND TELEPHONE SERVICE

Proper coordination with the various utility companies will be made in conjunction with this development.

7.6 PUBLIC TRANSPORTATION

There are no bus stops in this PUD.

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7.7 DRAINAGE

No portion of the property within this Planned Unit Development is located within the FEMA 100 year floodplain.

7.8 COMPREHENSIVE PLAN 2030

The Comprehensive Plan 2030 Land Use Plan designates this area as Parks/Open Space.

8.0 SPECIAL DEVELOPMENT REGULATIONS

The following Special Development Regulations and/or limitations are placed upon the development of the PUD. Planning and zoning regulations will be those, which are in effect at the time of development of this PUD, provided however, that the density and or intensity of the PUD shall not be increased. Development is when a permit is issued for any construction or addition to any structure on a development tract. Certain zoning districts are referred to as a part of the Special Development Regulations of this PUD. For purposes of interpretation of these Special Development Regulations, the operative and controlling language and regulations of such zoning districts shall be the language and regulations applicable to the referenced zoning districts as contained in the City of Bethany's Planning and Zoning Code as such exists at the time of development of this PUD. In the event of conflict between provisions of this PUD and any of the provisions of the City of Bethany, Code of Ordinances, "Code", in effect at the time a permit is applied for with respect to any lot, block, tract and/or parcel of land subject to this PUD, the provisions of the Code shall prevail and be controlling; provided however, that in the event of a conflict between the Special Use and Development Regulations specifically negotiated as a part of this PUD and the provisions of the Code in effect at the time a permit is applied for with respect to any lot, block, tract and/or parcel of land subject to this PUD, such Special Use and Development Regulations of this PUD shall prevail and be controlling.

8.1 USE AND DEVELOPMENT REGULATIONS

The use and development regulations of the "E-1" Educational Institution District shall govern this tract, except as herein modified, including conditional, special permit, special exception, and/or accessory uses subject to their appropriate conditions and review procedures for public hearings where applicable, unless otherwise noted herein.

9.0 SPECIAL CONDITIONS

The following special conditions shall be made a part of this PUD:

9.1 LANDSCAPING REGULATIONS

The landscape in this PUD shall be in accordance with Title XV: Land Usage, Chapter 155, Site Plans of the City of Bethany, Code of Ordinances, Chapter 155.07, Landscaping. The subject site shall meet all requirements of the City of Bethany's Landscaping Ordinance in place at the time of development.

9.2 LIGHTING REGULATIONS

RESIDENTIAL

The lighting in this PUD shall be in accordance with Title IX: General Regulations, Chapter 92, Streets and Sidewalks of the City of Bethany, Code of Ordinances, Chapter 92.4, Provision of Street Lights. The City Manager shall provide for and designate the places for street lights.

9.3 SCREENING REGULATIONS

A six-foot wood privacy fence shall be located along the north, west and south perimeter of this PUD.

9.4 PLATTING REGULATIONS

All land within this PUD shall be contained within a final plat and any plat dedications shall be approved by the City Council prior to any occupancy permits being issued in the PUD.

9.5 DRAINAGE REGULATIONS

Drainage improvements, if required, will be in accordance to applicable sections of the Bethany City Code of Ordinances. Such drainage-ways must be designed to handle adequate flows and cannot be built without specific approval of the City Engineer. The maintenance will be the responsibility of the property owners.

9.6 ACCESS REGULATIONS

There shall be a maximum of two points of access to the internal street for this PUD.

Access to this PUD may include a divided street or drive with central landscaped medians.

Individual lots shall be permitted to take access from N. Divis. Ave.

9.7 PARKING REGULATIONS

The design and number of all parking facilities in this PUD shall be in accordance with Title XV: Land Usage, Chapter 159, Zoning of the City of Bethany, Code of Ordinances, Chapter 159.035, Off-Street Parking and Chapter 159.036 Residential Parking Restrictions. Two spaces for each dwelling unit within the structure shall be provided.

9.8 SIGNAGE REGULATIONS

9.8.1 FREESTANDING SIGNS

Multi-family residential subdivision freestanding sign requirements shall be in accordance with Title XV: Land Usage, Chapter 153, Sign Regulations of the City of Bethany, Code of Ordinances.

9.8.2 ATTACHED SIGNS

Attached signs will be in accordance with the base zoning district regulations.

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9.8.3 ELECTRONIC MESSAGE DISPLAY SIGNS

Electronic Message Display Signs are specifically prohibited in this PUD.

9.9 ROOFING REGULATIONS

Every structure in this PUD shall have Class C roofing or better.

9.10 SIDEWALK REGULATIONS

Sidewalk requirements shall be in accordance with Title XV: Land Usage, Chapter 154.53, Sidewalks, of the City of Bethany, Code of Ordinances. A five-foot sidewalk shall be constructed along N. Divis Ave. and a six-foot sidewalk shall be constructed along NW 36th Street, subject to the policies and procedures of the Public Works Department.

9.11 HEIGHT REGULATIONS

The maximum of height of any structure shall be 35-feet in this PUD.

9.12 LOT, SETBACK AND YARD STANDARDS

The two-family lot size shall be a minimum of 7,000 square feet with minimum lot area per dwelling unit of 3,500 square feet. The minimum lot width shall be 60-feet. The minimum lot depth shall be 100-feet. The minimum front yard building setback shall be 25-feet. The minimum building side yard setback shall be 5-feet from the interior property line. The minimum building side yard setback on corner lots shall be 10-feet. **The minimum rear yard building setback shall be 15-feet for Lots 1-3, Block 1, 15-feet for Lots 1-6, Block 2 and 10-feet for Lots 1-18, Block 3.** Maximum lot coverage shall be 50%.

9.13 PUBLIC IMPROVEMENTS

Public improvements shall be made by the property owner throughout the PUD as required by the City of Bethany Public Works Department or other City, County, or State Department or agency. All Local, State, and Federal ordinances as they shall apply to the site will be adhered to fully.

9.14 COMMON AREAS

Maintenance of the common areas and features in the development shall be the responsibility of the property owner or Property Owners Association. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that shall cause a blockage of flow or an adverse effect on the functioning of the storm water facility, shall be placed within the common areas intended for the use of conveyance of storm water, and/or drainage easements shown. Certain amenities such as, but not limited to, walks and benches, shall be permitted if installed in a manner to meet the requirements specified above.

10.0 DEVELOPMENT SEQUENCE

RESIDENTIAL

Developmental phasing shall be allowed as a part of the development of this PUD.

11.0 EXHIBITS

The following exhibits are hereby attached and incorporated into this PUD. These exhibits are:

EXHIBIT A: LEGAL DESCRIPTIONS

EXHIBIT B: MASTER DEVELOPMENT PLAN

EXHIBIT C: TOPOGRAPHY MAP

EXHIBIT A

BETHANY VILLAGE LEGAL DESCRIPTION

A tract of land situate within the Southeast Quarter (SE/4) of Section Seventeen (17), Township Twelve North (T12N), Range Four West (R4W) of the Indian Meridian (I.M.), Bethany, Oklahoma County, Oklahoma; said tract being more particularly described as follows:

COMMENCING at the Southwest corner of said SE/4; thence
N89°42'12"E along the South line of said SE/4 a distance of 1540.25 feet; thence
N00°17'48"W a distance of 33.00 feet to the POINT OF BEGINNING; thence

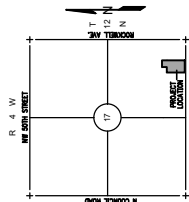
N00°42'07"W a distance of 600.01 feet; thence
N89°42'12"E a distance of 177.00 feet; thence
N00°02'01"W a distance of 160.00 feet; thence
N89°42'12"E a distance of 230.00 feet; thence
S00°02'01"E a distance of 760.01 feet; thence
S89°42'12"W a distance of 400.00 feet to the POINT OF BEGINNING.

Said tract contains 278,901 Sq Ft or 6.40 Acres, more or less.

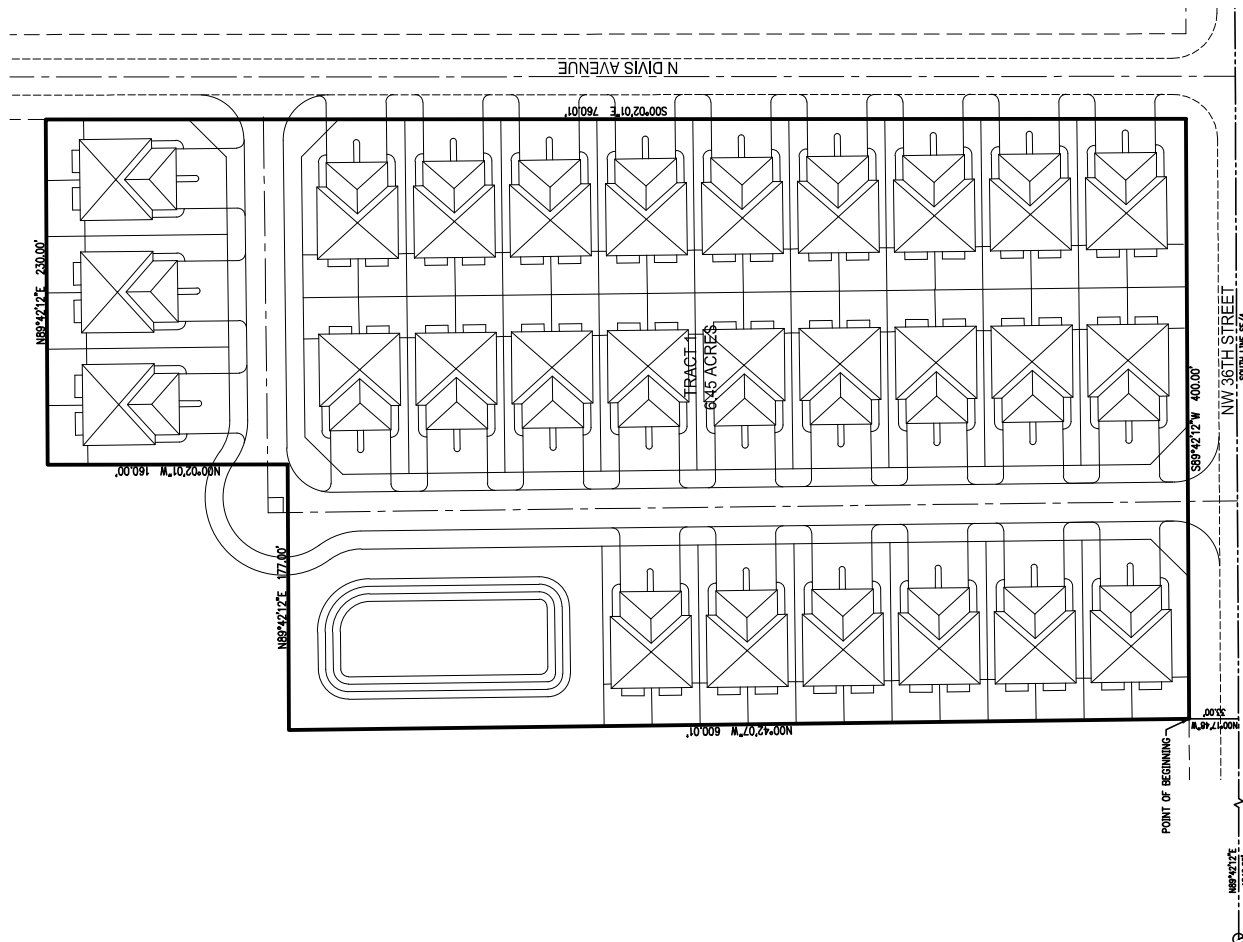
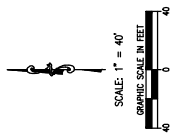
MASTER DEVELOPMENT PLAN

OF
BETHANY VILLAGE

A PART OF THE SE/4 OF SECTION 17, T12N, R4W, I.M.
BETHANY, OKLAHOMA COUNTY, OKLAHOMA



E H I T



PROJECT OWNER AND DEVELOPER:
M&J Construction
22445 Lytle Terrace
Edmond, Oklahoma
73025
Email: mcdonald.fran@mhco.com

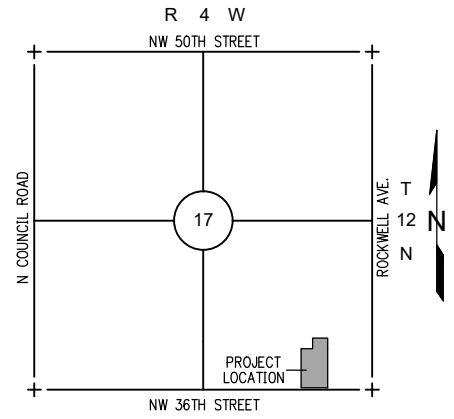
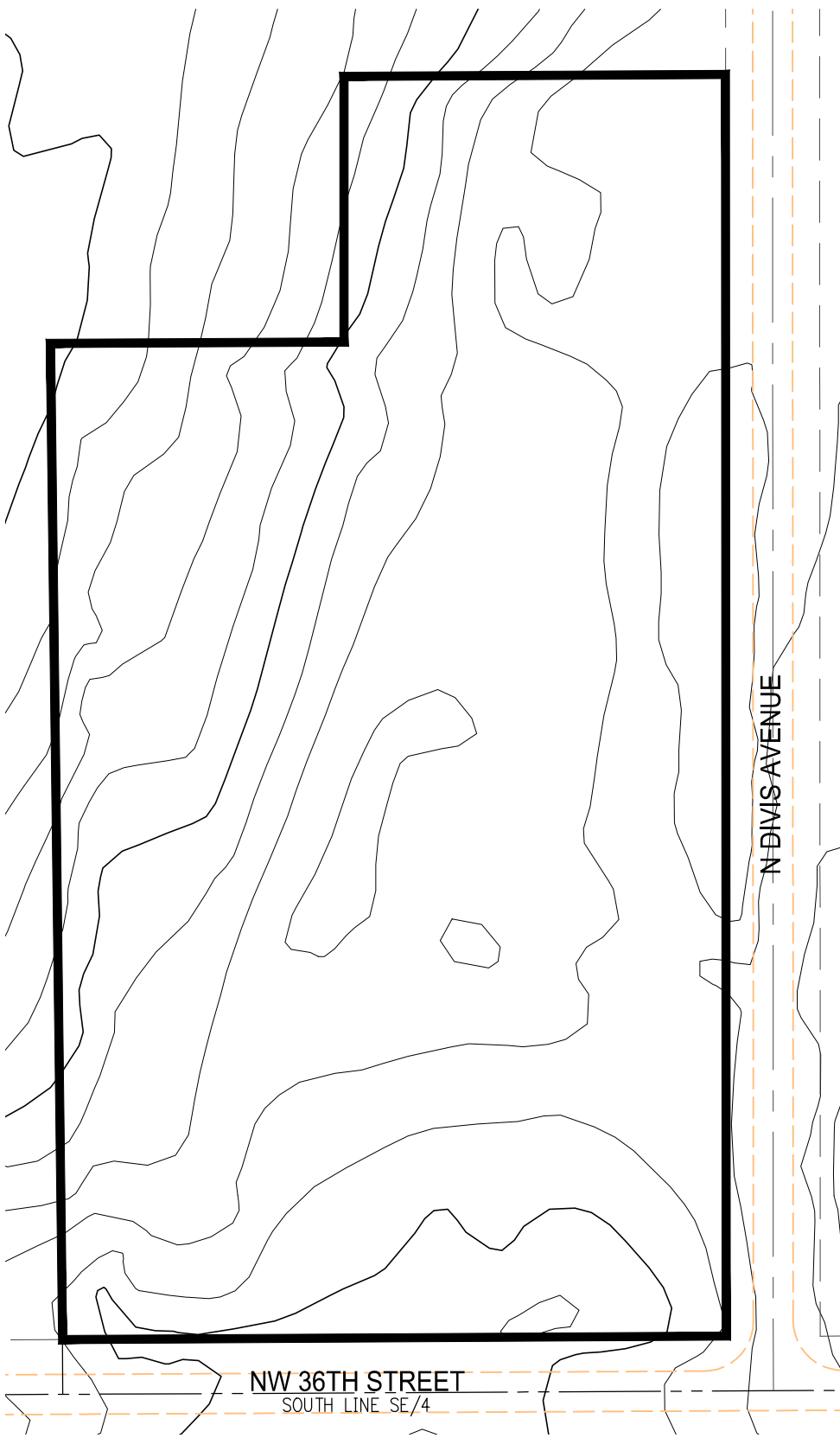
LEGAL DESCRIPTION
A tract of land situated within the Southwest Quarter (SE/4) of Section Seventeen (17), Township Twelve North (T12N), Range Four West (R4W) of the Indian Meridian (I.M.), Bethany, Oklahoma County, Oklahoma, said tract being more particularly described as follows:
COMMENCING at the Southwest corner of said SE/4; thence
N00°42'07\"/>

MASTER DEVELOPMENT PLAN
BETHANY VILLAGE

3877 Peachtree Parkway, Suite 100
Fulton, Oklahoma 73079

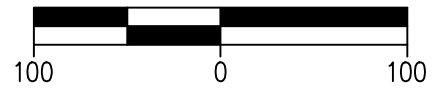
Crafton Tull
3877 Peachtree Parkway, Suite 100
Fulton, Oklahoma 73079
www.craftontull.com

SHEET NO.: 1 OF 1
DATE: 03/18/20
PROJECT NO.: 20602600



SCALE: 1" = 100'

GRAPHIC SCALE IN FEET



BETHANY VILLAGE – TOPOGRAPHIC MAP – EXHIBIT C

300 Pointe Parkway Blvd.
Yukon, Oklahoma 73099



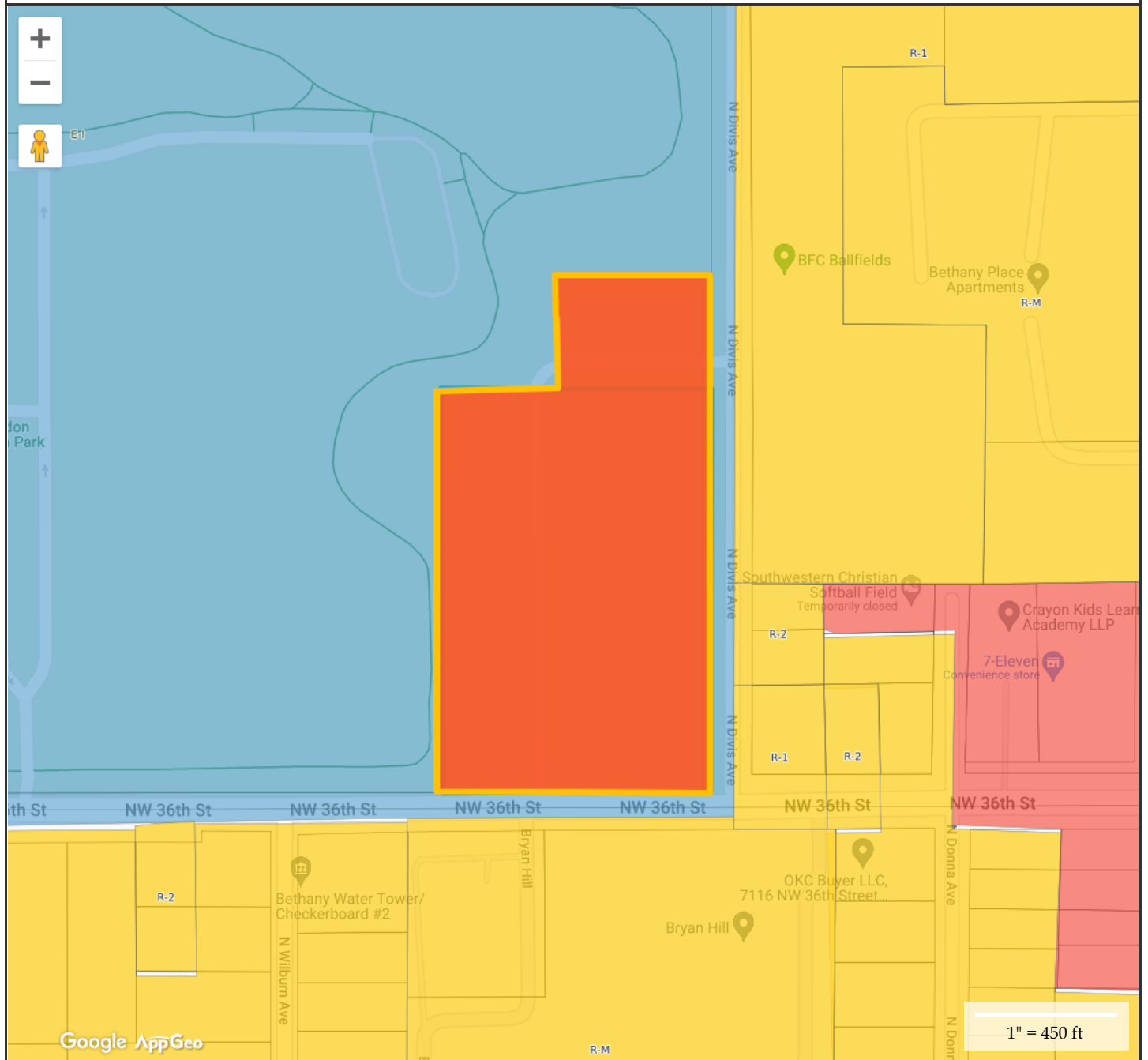
Crafton Tull
architecture | engineering | surveying
405.787.6270 | 405.787.6276 |
www.craftontull.com

SHEET NO.: 1 of 1
DATE: 03/18/20
PROJECT NO.: 20602600





PC 23-13 Zoning Map



ZONING CODE LEGEND

A	I-L
CBD	I-R
C-G	PUD
C-H	PRD
C-S	R-1
C-N	R-2
C-O	R-M
C-R	RMO
E-I	RHP

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Bethany, Oklahoma makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

NOTICE OF PUBLIC HEARING

On November 2, 2023, at 7:00 p.m. the Bethany Planning and Zoning Commission will, during its regular session, hold a public hearing at Bethany City Hall at 6700 NW 36th St., Bethany, OK 73008 for the following: Consider a request by Frank McLendon, applicant & property owner, for an amendment to the PUD at the NW corner of NW 36th Street & N Divis Avenue.

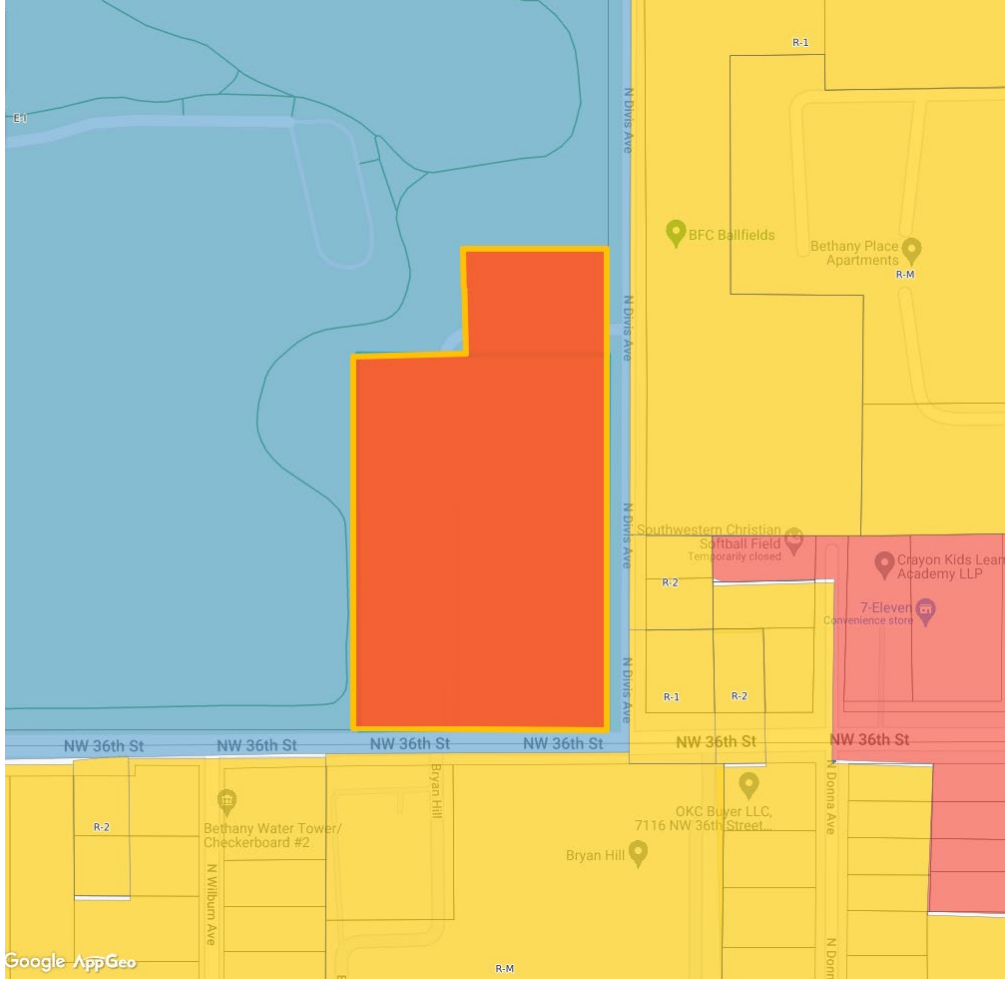
Following the public hearing the Bethany Planning & Zoning Commission will vote on the request and forward a recommendation to the Bethany City Council, which in turn will hear this case on November 14, 2023, at 6:30 p.m. After this meeting, there will be a second public hearing with the Bethany City Council, and a vote to approve or deny the request will be held.

The City of Bethany encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The City may waive the 48-hour rule if signing is not the necessary accommodation.

LEGAL DESCRIPTION:

Sect 17-T12N-R4W Qtr SE (I.M.) Bethany, Oklahoma
County, Oklahoma; said tract being more particularly described as follows:
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S00°02'12"W a distance of 400.00 feet to the POINT OF BEGINNING

Said tract contains 278,901 square feet or 6.40 Acres, more or less.





Department of Planning & Community Development

October 9, 2023

NOTICE OF HEARING

**PLANNING & ZONING COMMISSION
AND CITY COUNCIL**

Dear Property Owner:

This notice is to inform you that a neighboring property owner has filed an application with the Bethany Department of Planning & Community Development for an amendment to the Planned Unit Development (PUD) at the NW corner of NW 36th Street and N Divis Avenue. All PUD amendments within the city limits are reviewed by the Planning and Zoning Commission at a public hearing to determine whether the proposal is in conformity with the Comprehensive Plan for the City of Bethany.

We would like to emphasize that the Planning and Zoning Commission does not make the final decision on whether or not to approve the application; it simply makes recommendations on zoning & special permit matters to the City Council. The final decision is made by the City Council in a second hearing.

Attached to this notice is information on the hearing dates, the location of the property, and the zoning of the property. During the public hearings, the applicant for the zoning change presents his case, and all interested property owners in the surrounding area are invited to appear and state whether they are for or against the proposal.

Your participation in these proceedings can affect the outcome.

If you have any questions regarding this notice, please contact the Community Development Director. Call (405) 789-6005.

**SECRETARY,
PLANNING AND ZONING COMMISSION**

AMENDMENT CASE INFORMATION

A. Amendment Proposal

1. Case No.: PC 23-13
2. Location of Property: NW Corner of NW 36th ST & N Divis Ave., Bethany, OK
3. Legal Description: See Item E.
4. Present Zoning: PUD (Planned Unit Development).
5. Applicant's Request: Grant an amendment which would change the rear setbacks of the property from 15 feet to 10 feet on Lots 1-18, Block 3.

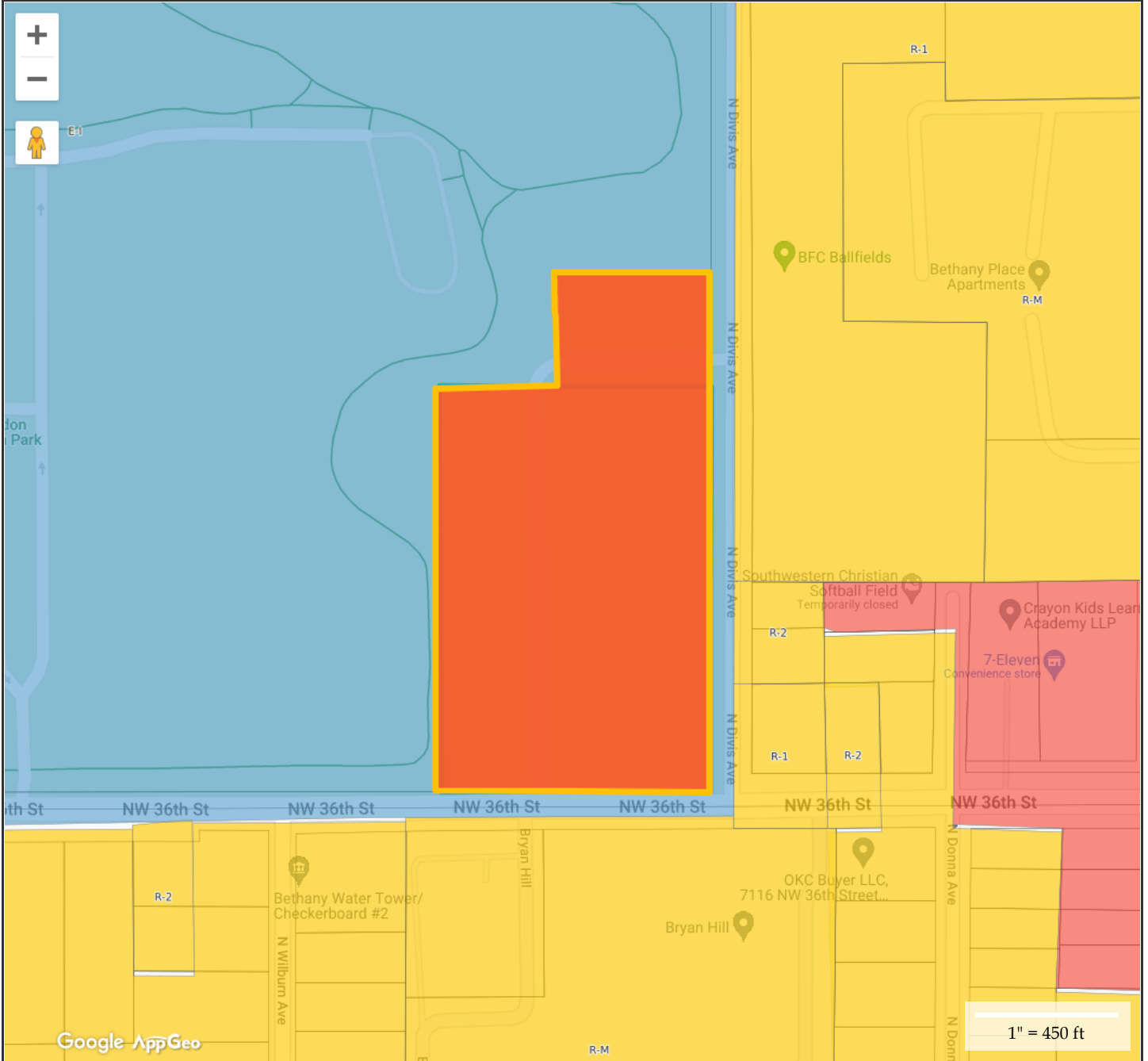
B. Hearing Schedule

1. The Planning and Zoning Commission hearing on the proposed rezoning will be held on **November 2, 2023** at **7:00 P.M.** At this hearing, any interested citizen will have the opportunity to speak to the Commission concerning the proposed zoning change. The Commission will vote on whether to recommend approval or disapproval of the proposed rezoning. **IF YOU HAVE AN OPINION ON THE APPLICATION, YOU SHOULD ATTEND THIS HEARING.**
2. The City Council Hearing will be held on **November 14, 2023** at **6:30 P.M.** At this hearing, any interested citizens will have the opportunity to speak to the City Council concerning the request. The City Council will vote either to adopt or reject the proposed rezoning ordinance. **IF YOU HAVE AN OPINION ON THE APPLICATION, YOU SHOULD ATTEND THIS MEETING.**

C. Location of Hearings

Both the Planning and Zoning Commission and City Council hearings will be held in the Bethany City Hall Council Chamber located at 6700 NW 36th St.

PC 23-13 Zoning Map



ZONING CODE LEGEND

A	I-L
CBD	I-R
C-G	PUD
C-H	PRD
C-S	R-1
C-N	R-2
C-O	R-M
C-R	RMO
E-I	RHP

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Bethany, Oklahoma makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

E. Legal Description

BETHANY VILLAGE

A tract of land situated within the Southeast Quarter (SE/4) of section Seventeen (17), Township Twelve North (T12N), Range Four West (R4W) of the Indian Meridian (I.M.), Bethany, Oklahoma County, Oklahoma; said tract being more particularly described as follows:

COMMENCING at the Southwest corner of said SE/4; thence
N89°42'12"E along the South line of said SE/4 a distance of 1540.25 feet; thence
N00°17'48"W a distance of 33.00 feet to the POINT OF BEGINNING; thence

N00°42'07"W a distance of 600.01 feet; thence
N89°42'12"E a distance of 177.00 feet; thence
N00°02'01"W a distance of 160.00 feet; thence
N89°42'12"E a distance of 230.00 feet; thence
S00°02'12"W a distance of 400.00 feet to the POINT OF BEGINNING

Said tract contains 278,901 square feet or 6.40 Acres, more or less.