AGENDA

This hybrid special board meeting is being held consistent with the amendments to the Open Meeting Act, 25 O.S. 2011, § 301 et seq, signed into law by Governor Stitt on Wednesday, February 10, 2021. SB1031, 2021 O.S.L. 1, § 1

Link to access meeting:
HTTPS://OMES.WEBEX.COM/OMES/ONSTAGE/G.PHP?MTID=E6A7A891A7A147B28CCA3B991A0418445;
Event Password: CMIZC
Call-in information: +1-415-655-0001
Access code: 187 185 2033

The Notice of this virtual Special Meeting was filed with the Secretary of State’s Office on March 31, 2021. Notice/final agenda was posted on April 16, 2021, at 12:00 p.m., at the West entrance of the Will Rogers Building at 2401 N. Lincoln Blvd., Oklahoma City, and on the OMES/Capitol-Medical Center Improvement and Zoning web site. https://www.sos.ok.gov/meetings/notices/000050/0524172103311635.htm

The Commission may discuss, vote to approve, vote to disapprove, vote to table, change the sequence of any agenda item, or vote to strike or not discuss any agenda item.

The following Commission Members have the option to participate in person or remotely using the WebEx videoconference platform:

- Tiana Douglas, President Pro Tempore Appointee [appearing remotely]
- Hillary Farrell, President Pro Tempore Appointee [appearing remotely]
- Jeremiah Jordan, Governor Appointee [appearing remotely]
- Anderson Dark, Governor Appointee [appearing remotely]
- Brian Downs, Speaker Appointee [appearing remotely]
- Paul Manzelli, President of The University of Oklahoma Designee [appearing remotely]
- Ken Phillips, Director of Transportation Designee [appearing remotely]
- Janis Powers, Chairman of the Planning Commission of Oklahoma City Designee [appearing remotely]
- Dan Ross, Chairman [appearing in person]

Next Meeting: Friday, May 28, 2021, at 8:15 a.m.
If any of the above-listed Commission members loses videoconference communication during the meeting, he or she will attempt to rejoin and participate by teleconference.

In the event electronic communications are lost or compromised during the meeting, the Capitol-Medical Center Improvement and Zoning Commission staff will attempt to restore communications for a maximum of 15 minutes. If unable to restore communications the meeting will be adjourned.

AGENDA ITEMS

A. Roll Call
B. Minutes
   1. Approval, disapproval and/or amendment of the minutes of the March 26, 2021 meeting.
C. Land Use and Development Applications:
   1. Discussion and possible action regarding **BP-20-21-42**, request by Garry Adams, Extreme Builders, for a building permit for construction of a single family dwelling at **940 NE 30th Street** on property described as Lots 3 and 4, Block 1, Powell Subdivision of Block 1, Alta Vista Addition to Oklahoma City.

   Note: Items C.2 through C.5 all pertain to the same property and development. These items will be presented together. However, each item requires a separate motion and vote.

   2. Discussion and possible action regarding **D-20-21-4**, request by Mark Grubbs, Grubbs Consulting, LLC, for a building permit for demolition of all existing structures at **950 NE 23rd Street** in Oklahoma City.

   3. Discussion and possible action regarding **V-20-21-4**, request by Mark Grubbs, Grubbs Consulting, LLC, for variances from strict application of specified zoning rules as they pertain to the proposed development of a filling station with convenience store and restaurant in the **CN Neighborhood Commercial District** at **950 NE 23rd Street** in Oklahoma City:
      a. Variance from OAC 120: 10-3-24(b)(4) to permit propane fuel and packaged ice to be stored and displayed for sale outside of the building.
      b. Variance from OAC 120: 10-7-11(a)(32) to permit the minimum parking requirement for a “retail/commercial establishment” to be calculated at the rate of one parking space per 200 square feet of net floor area.
      c. Variance from OAC 120: 10-7-12(1) to permit driveway widths of 35 feet for the driveway on NE 23rd Street and for one of the two driveways on North Kelley Avenue.
      d. Variance from OAC 120: 10-7-10(2) to permit parking spaces in the rear yard setback area.
      e. Variance from OAC 120: 10-5-4.1(8) to permit a trash enclosure in the side yard setback area.

4. Discussion and possible action regarding **BP-20-21-45**, request by Mark Grubbs,
Capitol-Medical Center Improvement and Zoning Commission
Hybrid Special Meeting
Will Rogers Building, Conference Rm. 214/216
2401 N. Lincoln Blvd., Oklahoma City, OK 73105
WebEx Platform
Friday, April 23, 2021, 8:15 a.m.

Grubbs Consulting, LLC, for a building permit for construction of a filling station with convenience store and restaurant in the CN Neighborhood Commercial District at 950 NE 23rd Street in Oklahoma City.

5. Discussion and possible action regarding BP-20-21-46, request by Mark Grubbs, Grubbs Consulting, LLC, for a building permit for alterations to an existing pylon sign and for installation of wall signs and fuel island canopy signs at 950 NE 23rd Street in Oklahoma City.

D. Miscellaneous:
1. Discussion and possible action to appoint Guy Parkhurst, a resident of the Capitol-Lincoln Terrace Historic District, to fill a vacancy on the Citizens’ Advisory Committee.
2. Discussion and possible action to appoint Camal Pennington, a resident of the Lincoln Terrace East Historic District, to fill the unexpired term of Sharon Astrin on the Historical Preservation and Landmark Board of Review.
3. Discussion and possible action to reappoint Carla Spleingard to serve a three year term as a real estate agent on the Historical Preservation and Landmark Board of Review.
4. Consideration and possible action to enter into an agreement with the City of Oklahoma City to provide zoning code enforcement on behalf of the Capitol-Medical Center Improvement and Zoning Commission for Fiscal Year (FY 22), July 1, 2021 through June 30, 2022, cost $12,000.

E. Reports and possible discussion from Commissioners or Director.
F. Adjournment.

Public Comment:
The Chairman will recognize comments from the public limited to only those subject matters covered in the current meeting agenda and further limited to two minutes per person. The Commission Chairperson reserves and retains the right to interrupt, terminate, or postpone public comment as necessary to effectuate the management of the public meeting.

To sign up to give oral comments, call 405-522-0440 or email beverly.hicks@omes.ok.gov no later than 8:15 a.m., April 21, 2021. Materials provided to members of the Commission or shared electronically between members of the Commission may be accessed here:

Next Meeting: Friday, May 28, 2021, at 8:15 a.m.
Minutes
Capitol-Medical Center Improvement and Zoning Commission
Virtual Special Meeting/WebEx
Mar. 26, 2021, 8:15 a.m.

UNOFFICIAL
A meeting notice was filed with the Secretary of State and an agenda posted in accordance with the Open Meeting Act.

MEMBERS PRESENT: Anderson Dark
Tiana Douglas
Brian Downs
Hillary Farrell
Jeremiah Jordan
Janis Powers
Dan Ross

MEMBERS ABSENT: Kirkland Hall
Paul Manzelli
Ken Phillips

STAFF/GUESTS: Casey Jones, AICP, OMES, Planner
Beverly Hicks, OMES, Planning/Administrative Coordinator
Karl Kramer, OAG
Nash Thomas, Applicant representative
David Box, Applicant representative
Spencer Wilson, Applicant representative
Brian Fitzsimmons, Applicant representative
Donna Moore, Public
Audrey Jones, Public

A. Roll Call:
Chairman Dan Ross called the meeting to order at 8:27 a.m. A roll call was taken and a quorum established. Mr. Ross was advised a meeting notice was filed with the Secretary of State and agenda posted in accordance with the amendments to the Open Meeting Act made by enrolled Senate Bill 1031 (2021).

B. Minutes:
1. Approval, disapproval and/or amendment of the minutes of the January 22, 2021 virtual special meeting:

Anderson Dark moved to approve the meeting minutes of January. Hillary Farrell seconded the motion. The following votes were recorded and the motion passed:

Mr. Dark, yes; Ms. Douglas, yes; Mr. Downs, abstain; Ms. Farrell, yes; Mr. Jordan, yes; Ms. Powers, yes; Mr. Ross, yes.
C. Land Use and Development Applications:

1. Discussion and possible action regarding V-20-21-1 and BP-20-21-18, requests by David M. Box, Williams, Box, Forshee & Bullard, representing Timbercraft Homes LLC, the owner, for a variance from the 30-percent maximum lot coverage requirement in the RD-2 District and a building permit for construction of a 450-square-foot detached garage at 829 NE 16th Street in the Lincoln Terrace East Historic District of Oklahoma City:

   The Historical Preservation and Landmark Board of Review reviewed this proposal on March 4, 2021, and granted certificate of appropriateness for the proposed work with the condition that two single-car vehicle doors be installed on the front of the garage (CA-20-21-14).

   On March 11, 2021, the Citizens’ Advisory Committee reviewed and recommended approval of the variance and building permit.

   Staff recommended to approve the variance and building permit with the following findings:
   a. The proposed garage size, height, placement, and setbacks are consistent with the character of the neighborhood and compatible with surrounding areas.
   b. The proposed garage is in compliance with the recommended size limit of 450 square feet for garages in the Historic Preservation District.
   c. The proposed development will have no detrimental impact on adjacent properties.
   d. The proposed development is compatible with the Master Plan land use designation for the property, which is Mixed Use – Residential/Institutional.
   e. The proposed development is in keeping with the spirit and intent of the zoning rules.

   Notice was mailed to the residents within a 300’ radius and published in the Journal Record on March 16, 2021 for the public hearing.

   Public comment was made by Reverend Donna Moore and Ms. Audrey Jones in support the applicant’s project. Both ladies are members of the Citizens’ Advisory Committee and live within the district.

   Hillary Farrell moved to approve the variance and building permit. Anderson Dark seconded the motion. The following votes were recorded and the motion passed:

   Mr. Dark, yes; Ms. Douglas, yes; Mr. Downs, yes; Ms. Farrell, yes; Mr. Jordan, yes; Ms. Powers, yes; Mr. Ross, yes.

2. Discussion and possible action regarding BP-20-21-32, request by Spencer Wilson, Fitzsimmons Architects, representing 701 Culbertson LC, the owner, for a building permit for installation of two monument signs (one primary identification sign and one directional sign) on the property at 701 Culbertson Drive in Oklahoma City:
The Historical Preservation and Landmark Board of Review granted a certificate of appropriateness for the proposed signs on March 4, 2021 (CA-20-21-16).

Staff recommended to approve the building permit with the finding that the proposed work complies with applicable zoning rules.

Tiana Douglas moved to approve the building permit. Jeremiah Jordan seconded the motion. The following votes were recorded and the motion passed:

Mr. Dark, yes; Ms. Douglas, yes; Mr. Downs, yes; Ms. Farrell, yes; Mr. Jordan, yes; Ms. Powers, yes; Mr. Ross, yes.

3. Discussion and possible action regarding V-20-21-3, request by Spencer Wilson, Fitzsimmons Architects, representing 701 Culbertson LC, the owner, for a variance from the siting standards for trash enclosures to allow for installation of a trash enclosure to the south of the existing building as indicated on the submitted application and plans for 701 Culbertson Drive in Oklahoma City.

The Historical Preservation and Landmark Board of Review reviewed this proposal on March 4, 2021, and granted a certificate of appropriateness for the proposed work as submitted (CA-20-21-17).

Staff recommended to approve the variance with the following findings:
   a. The location of the existing structure and the improvements on the property makes strict compliance with the zoning rules difficult and impractical and causes a hardship on the owner.
   b. The proposed trash enclosure’s design, size, height, and placement are compatible with the existing building and surrounding buildings.
   c. The proposed work will have no detrimental impact on adjacent properties.
   d. The proposed work is compatible with the Master Plan land use designation for the property, which is Neighborhood Commercial.
   e. The proposed work is in keeping with the spirit and intent of the zoning rules.
   f. The proposed work will not adversely affect the integrity and historic character of the district or the property.
   g. The proposed work will not damage any historic materials or character-defining features.
   h. The proposed work, if removed in the future, would not impair the essential form and integrity of the property and its environment.

Notice was mailed to the residents within a 300’ radius and published in the Journal Record on March 16, 2021 for the public hearing.

Jeremiah Jordan moved to approve the variance. Anderson Dark seconded the motion. The following votes were recorded and the motion passed:

Mr. Dark, yes; Ms. Douglas, yes; Mr. Downs, yes; Ms. Farrell, yes; Mr. Jordan, yes; Ms. Powers, yes; Mr. Ross, yes.
D. **Miscellaneous:** None.

E. **Reports and possible discussion from Commissioners or Director:** None.

F. **Adjournment:**
   There being no further business, Tiana Douglas made a motion to adjourn. Janis Powers seconded the motion. Seeing no opposition, the meeting adjourned at 8:56 a.m.
Case Number: BP-20-21-42

Property Address: 940 NE 30th Street

Description: Lots 3 and 4, Block 1, Powell Subdivision of Block 1, Alta Vista Addition to Oklahoma City, excluding a plot of ground 15 feet by 15 feet located in the SE Corner of Lot 3

Owner: Extreme Homes LLC
Applicant: Garry Adams, Extreme Builders

Items for Consideration:
1. Building permit for construction of a single family dwelling on the property at 940 NE 30th Street.

Background:
Zoning: RD-1, Single Family Residential District
Adjacent Zoning: North: R-1; City of Oklahoma City zoning jurisdiction
South, East, and West: RD-1, Single Family Residential District
Current Use: Vacant lot (undeveloped)
Proposed Use: Single family dwelling (Permitted Use)
Surrounding Uses: North, South and West: Single family dwellings
East: Vacant lot
Master Land Use Plan Designation: Single family residential
Lot Size: 6,275 square feet

Issues and Considerations:
The applicant proposes to construct a single family dwelling on the existing, vacant lot at 940 NE 30th Street. The proposed dwelling complies with applicable zoning rules. The dwelling will be a one-story structure with a footprint of 1,500 square feet. The dwelling will have 1,100 square feet of living area containing 3 bedrooms and 2 bathrooms. The dwelling will have an attached, two-car garage 400 square feet in size. A covered front porch and an uncovered rear concrete patio are proposed. The dwelling will have all brick exterior walls and composite architectural shingle roofing. A concrete driveway is proposed onto NE 30th Street as shown on the site plan.

Applicable Zoning Rules:

Construction of a new principal structure is subject to the Commission’s review and requires a building permit. According to applicable zoning rules, the Commission shall review all plans submitted including orientation and design of the proposed building and its use, and the texture and type of exterior materials to determine whether the character of the improvement is in harmony with and would not detract from
the character of the area in which the improvement is proposed to be located. If the Commission recommends changes in building or site plans, the changes and the reason for them will be submitted in writing to the applicant. No building permit shall be issued until the plans have been approved by the Commission.

**OAC 120: 10-3-20(b). Uses Permitted in the RD-1 District.** Property and buildings in an RD-1, Single Family Residential District, shall be used only for the following purposes:

1. **Single-family detached dwelling.**
2. Church.
3. Park or playground, public school or an educational institution having a curriculum the same as ordinarily given in public schools, and having no rooms regularly used for housing and sleeping.
4. Accessory buildings which are not a part of the main building, including a private garage or servant’s quarters, when located not less than five (5) feet away from any side lot line, or accessory buildings which are part of the main buildings, including a private garage or servant's quarters.
5. Home occupation in accordance with OAC 120:10-5-22.
6. Temporary buildings for uses incident to construction work, which building shall be removed upon completion or abandonment of the construction work.
7. Bulletin board or sign, not exceeding twelve (12) square feet in area appertaining to the lease, hire or sale of a building or premises, which board or sign shall be removed as soon as the premises are leased, hired or sold.

**OAC 120: 10-3-20(d). Height Regulations.** Except as hereinafter provided in 120:10-5-2.1, no building shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height.  
*The home will have one story and will be 19 feet in height.*

**OAC 120:10-5-3.1. Height regulations. (c) Plane of maximum height.**  
This section establishes a plane of maximum height. Based on this rule, buildings on the subject property, 940 NE 30th Street, cannot exceed an elevation of 1,248 feet above sea level. The elevation of this property is approximately 1,206 feet above sea level, so the maximum building height at this property is 42 feet. However, the more restrictive height limit of 35 feet, as listed above, shall apply.

**OAC 120: 10-3-20(e). Area Regulations for the RD-1 District**  
2: A 5-foot yard is required on each side of a building. *The proposed dwelling has 5-foot side yards on the east and west.*

3: The rear yard shall be 30 feet in depth or 20 percent of the depth of the lot, whichever is smaller *(26 feet in this case).*  
*The proposed rear yard depth is 35 feet, 10 inches.*

5: Main and accessory buildings cannot cover more than 25 percent of the lot area of interior lots.  
*The footprint of the home will be 1,500 square feet, and it will occupy 23.9 percent of the lot, which leaves only 68 square feet for future accessory structures. No accessory structures are currently proposed.*
Platted Setbacks and Easements: The subdivision plat of record has a front yard building setback line of 25 feet and no easements shown. *The front exterior wall of the dwelling will be set back 45 feet, 6 inches, from the front property line.*

OAC 120: 10-5-4.1. Area and open space

(2) **Minimum requirement.** In residential districts, a minimum of 25 percent of the lot shall be maintained as open space with no buildings, parking or impervious surfaces. *Approximately 65 percent of the lot is maintained as open space.*

(5) **Location of detached private garage.** An attached or detached private garage which faces on a street shall not be located closer than 25 feet to the street easement line. *The dwelling will have an attached garage, which will be set back 45 feet, 6 inches from the street right-of-way line.*

(7) **Accessory building location.** Accessory buildings which are not a part of the main building may be built in the rear yard within 10 feet of the rear lot line. *No accessory buildings are proposed.*

OAC 120:10-7-10. General Requirements (Parking and Driveways). The following requirements apply to all land used for driveways and off-street parking purposes in all zoning districts:

(6) Parking is prohibited on all unpaved areas. The use of gravel for driveways and off-street lots is prohibited in all zoning districts. *A concrete driveway is proposed.*

(7) All portions of land used for parking and driveway purposes shall be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced by continued use. *A concrete driveway is proposed.*

(8) No parking shall be permitted in any yard areas except on driveways. Driveways shall be considered to serve garages, carports, and vehicle storage pads. *This requirement is met.*

(9) The maximum driveway width in the front yard area for the RD-1 and RD-2 districts is 12 feet. The maximum driveway width in the front yard area for the HP district is 10 feet. The maximum driveway width in the front yard area for all other zoning districts is 24 feet. *The proposed driveway onto NE 30th Street will be 12 feet width from the street to the 25-foot front yard setback line; then the driveway will widen on the approach to the attached garage.*

(10) Off-street parking areas shall not be permitted in the yards of property used for residential purposes. *This requirement is met.*

(11) Carports or detached garages shall be permitted if located to the rear of the main residential structure. On corner lots, the front yard setback for the side street shall apply to the construction of a garage or carport. *This requirement is met.*

OAC 120:10-7-11. Amount of off-street parking required

(17) **Dwelling:** 2 parking spaces per each unit in the main structure, 1 parking space per garage apartment, and 1.5 parking space for efficiency or studio apartment. *A minimum of two parking spaces are required. Two parking spaces are provided in the garage, and additional parking is provided on the driveway. This requirement is met.*
Prior Actions:
The Citizens’ Advisory Committee reviewed the applicant’s plans on April 8, 2021, and recommended approval of the building permit.

Staff Recommendation:

Approve BP-20-21-42 with the finding that the proposed work complies with applicable zoning rules.

Attachments:
Application and Supporting Documents

940 NE 30th Street, Aerial Photo, December 2020, Oklahoma County Assessor:
I (we), the undersigned owners of the following described property, respectfully make application to the Capitol-Medical Center Improvement and Zoning Commission to request the addition, demolition or alteration of an improvement or structure on the property. In support of the application, the following facts are shown:

**Nature of Request**

- [X] Erect
- [ ] Demolish
- [ ] Remodel
- [ ] Move On/Modular
- [ ] Install
- [ ] Add On

**Location of Property (Address) and Legal Description:**

- **Address**: 940 N.E. 30th
- **City**: OKC
- **ZIP Code**: 73118

**Addition**: Powell Sub Addition
- **Block**: 001
- **Lot(s)**: 3 & 4

**Legal Description (unplatted land only):**

**Description of Improvement**

**Type of Improvement:** Construct New House

**Location on Property:**

- **Number of Stories**: 1
- **Use**: Residence
- **Height**: 19'

**Length**: 48'
- **Width**: 40'
- **Square Footage**: 1100

**Estimated Cost**: $120,000

**Applicant Signature (owner/agent):**

**Street Address**: 1723 W. Britton Rd.
- **City**: OKC
- **ZIP Code**: 73120

**Phone number**: 405-550-3000
- **Email**: g.adams.405@hotmail.com

**Representative (if applicable):**

**Phone Number**: 
- **Email**: 
Revised Site Plan
940 NE 30th Street

Received 3/30/2021
OMES Capital Assets Management
FOUNDATION PLAN
SCALE: 1/4" = 1'-0"
PLAN NAME: 1099 A
DATE: 2/26/2021

BUILDERS INVESTMENT GROUP, LLC
EXTREME HOMES
540 NE 30TH STREET
LOTS 3 & 4 POWELLS SUB ADDITION
OKLAHOMA CITY, OKLAHOMA COUNTY, OK.

SHANAHAN
HOME DESIGN
SHD

VENEER: 1099 SQFT
FRAME: 1051 SQFT
GARAGE: 399 SQFT
COV. PORCH: 31 SQFT
Larry Stein-Oklahoma County Assessor Public Access System

Real Property Display - Screen Produced   4/2/2021 2:23:38 PM

Account: R036531100  Type: Residential

Location: 0 UNKNOWN

Owner Name 1: GARRETT & COMPANY LLC 1/4 section #: 2686

Owner Name 2: Parent Acct:

Billing Address 1: 9701 BROADWAY EXT

City, State, Zip OKLAHOMA CITY, OK 73114-6316 Land Size: 0.15 Acres

Country: (If noted)

Lot Dimensions: Width 50 Depth 130

Land Value: 3,900

Full Legal Description: POWELLS SUB ADDITION 001 000 LOT 3 EX 15FT BY 15FT & ALL OF LOT 4

Comp Sales Address/Date/Price (ordered by relevancy) No comparable sales returned.

Value History (*The County Treasurer 405-713-1300 posts & collects actual tax amounts. Contact information HERE)

Year Market Value Taxable Mkt Value Gross Assessed Exemption Net Assessed Millage Tax Tax Savings
2021 3,900 3,900 429 0 429 119.08 51.09 0.00
2020 3,900 3,900 429 0 429 119.08 51.09 0.00
2019 3,900 3,900 429 0 429 119.00 51.05 0.00
2018 3,900 3,900 429 0 429 113.44 48.67 0.00
2017 3,900 3,900 429 0 429 113.35 48.63 0.00

Property Deed Transaction History (Recorded in the County Clerk's Office)

Date Type Book Page Price Grantor Grantee
11/20/1996 Deeds 7839 54 0 GARRETT & CO GARRETT AND COMPANY LLC
2/1/1978 Historical 4439 1331 0 GARRETT AND COMPANY

Last Mailed Notice of Value (N.O.V.) Information/History

Year Date Market Value Taxable Market Value Gross Assessed Exemption Net Assessed
2014 04/02/2014 3,900 3,900 429 0 429
2013 03/27/2013 3,900 3,763 413 0 413
2012 04/06/2012 4,000 3,584 394 0 394
2011 04/01/2011 4,000 3,414 375 0 375

Property Building Permit History

No Building Permit records returned.

No building records returned.
WARRANTY DEED
(OKLAHOMA STATUTORY FORM)

That Builders Investment Group, LLC, an Oklahoma limited liability, (the "Grantor"), in consideration of the sum of TEN & NO/100-------Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do(es) hereby, grant, bargain, sell and convey unto Extreme Homes LLC, an Oklahoma limited liability company, (the "Grantee"), the following described real property and premises situated in Oklahoma County, State of Oklahoma, to wit:

Lots Three (3) and Four (4), of Block One (1) in POWELL SUBDIVISION of Block One (1), ALTA VISTA ADDITION to Oklahoma City, Oklahoma County, Oklahoma, according to the recorded plat thereof; EXCEPT a plot of ground 15 feet by 15 feet located in the SE Corner of Lot 3 described as beginning at the SE Corner of Lot 3, thence North 15 feet; thence West 15 feet; thence South 15 feet; thence East 15 feet to the place of beginning.

Property Address: 942 NE 30th St., Oklahoma City, OK 73105

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same. LESS AND EXCEPT any interest in and to oil, gas, coal, metallic ores and other minerals therein and thereunder previously reserved or conveyed of record and all rights, interests and estates of whatsoever nature incident thereto or arising thereunder, and SUBJECT TO easements, rights of way, restrictive covenants of record.

TO HAVE AND TO HOLD said described premises unto the Grantee, and to the heirs, successors and assigns, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and delivered this February 04, 2021.

Filed/insured by: First American Title Insurance Company
File No.: 2595477-OK15 (MSM)

Doc Stamps: 57.00
Tax ID#: 2686-03-653-1100

First American Title
133 N.W. 8th St.
Oklahoma City, OK 73102

Return To:
Extreme Homes LLC
16009 Ledge Lane
Edmond, OK 73013
Builders Investment Group, LLC, an Oklahoma limited liability company

By: ________________________________
   
   Name: Willard Barnett
   Title: Manager

ACKNOWLEDGMENT - OKLAHOMA FORM

STATE OF OKLAHOMA

COUNTY OF OKLAHOMA

This instrument was acknowledged before me on February 04, 2021, by Willard Barnett as Manager of Builders Investment Group, LLC an Oklahoma limited liability company.

JANEA JENNIFER

NOTARY PUBLIC

My Commission Expires: 06-13-23

Mail Tax Statements To:
F&M Bank-
13900 North Portland Avenue-
Oklahoma City, OK 73134

SAME AS RETURN
Capitol-Medical Center Improvement and Zoning Commission
Items C.2. through C.5.
April 23, 2021

Case Numbers: D-20-21-4  
V-20-21-4  
BP-20-21-45  
BP-20-21-46

Property Address: 950 NE 23rd Street

Owner of Record: Ester Thompson Revocable Living Trust and Eric V. Thompson

Applicant/Consulting Engineer/Representative: Mark Grubbs – Grubbs Consulting, LLC

Adjacent Zoning and Land Uses:

<table>
<thead>
<tr>
<th>Subject Property: 950 NE 23rd Street</th>
<th>Existing Zoning</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>CO, Office Commercial</td>
<td>State health department offices</td>
</tr>
<tr>
<td>South</td>
<td>RD-1, Single Family Residential</td>
<td>State maintenance and storage buildings</td>
</tr>
<tr>
<td>East</td>
<td>CN, Neighborhood Commercial</td>
<td>Nail salon; meeting facility</td>
</tr>
<tr>
<td>West</td>
<td>RD-1, Single Family Residential</td>
<td>Interstate Oil and Gas Compact Commission Office</td>
</tr>
</tbody>
</table>

Proposed Land Use: Redevelop property according to new site plan; new use will be the same as the existing use

Comprehensive Plan Designation: Major Institutional

Background:
The subject property, 950 NE 23rd Street, is located at the southwest corner of NE 23rd Street and North Kelley Avenue in the Capitol-Medical Center Improvement and Zoning District of Oklahoma City. The applicant seeks the necessary Commission approvals for demolition and redevelopment of the property according to the submitted site plan, landscape plan, and architectural elevation drawings. The applicant proposes to construct a new filling station with a convenience store and restaurant, which is essentially the same use as the previous use. The proposed building would be 4,650 square feet in gross floor area, which is about 550 square feet larger than the existing building. The proposed building would be located about the same distance back from 23rd Street as the existing building and would be located 11 feet closer to Kelley Avenue than the existing building. A two-way drive aisle would be provided on the west side of the proposed building. The drive aisle on the east side of the existing building would be removed. The parking area in front (to the North) of the existing building would be replaced, redesigned, and increased from 8 spaces to 10 spaces. The parking area behind (to the South) of the existing building, where there are currently 12 parking spaces, would be shifted southward and expanded to 25 spaces. A total of 35 parking spaces will be provided. The south driveway on Kelley would be relocated southward, and the north driveway on Kelley would be widened to 35 feet to provide safer truck access. The driveway on 23rd Street would be replaced, and a public sidewalk would be installed to fill in gaps along 23rd Street and Kelley Avenue. The existing 8 gas pumps and canopy would be removed, and 12 new gas pumps and a new canopy would be installed in roughly the same location. New landscaping would be installed according to the submitted landscape plan. The applicant’s submitted plans are attached for the Commission’s consideration.
Items for Consideration:

1. **D-20-21-4**: Building permit for demolition of the existing structures (convenience store/restaurant, fuel pumps, and fuel canopy), parking lot, and driveways. Demolitions require the Commission’s approval. The subject property is not located in a designated historic district, and there are no existing historic resources on the property. The proposed demolition work complies with applicable zoning rules.

2. **V-20-21-4**: Variance from several specified zoning rules. The applicant requests variances from the following standards applicable to a new development:

   a. **Variance from OAC 120: 10-3-24(b)(4)** to permit propane fuel and packaged ice to be stored and displayed for sale outside of the building. This standard is intended to promote an aesthetically pleasing appearance for small commercial uses in the Neighborhood Commercial District while mitigating their impact on the character and environment of residential neighborhoods within the Capitol-Medical Zoning District.

   The outdoor display of products such as packaged ice, bundled firewood, household propane fuel, and bottled beverages is common industry practice at convenience stores and filling stations. The proposed development is located at the intersection of two arterial streets, the building is oriented toward the North (away from the Lincoln Terrace East District), there are no residential uses on any adjacent property, and no change in use is proposed that would detrimentally impact the neighborhood or surrounding properties. The propane fuel would be stored in a secure enclosure, and the packaged ice would be stored in one or two refrigerated containers.

   b. **Variance from OAC 120: 10-7-11(a)(32)** to permit the minimum parking requirement for a “retail/commercial establishment” to be calculated at the rate of one parking space per 200 square feet of net floor area. The zoning rules specify a parking ratio of 1 space per 100 square feet for a “retail/commercial establishment,” but the parking requirement for a filling station/convenience store is not specified in the rules. The ratio of 1:100 is quite high, and a filling station with a convenience store is a specialized land use with unique parking needs (higher vehicle turnover and shorter parking duration) that differ from parking needs of most other retail/commercial uses. A total of 35 spaces will be provided, whereas the existing development has 20 spaces. The 35 spaces will be more than adequate to meet the anticipated parking demand.

   c. **Variance from OAC 120: 10-7-12(1)** to permit driveway widths of 35 feet for the driveway on NE 23rd Street and for one of the two driveways on North Kelley Avenue. Driveways for two-way traffic are limited to 24 feet in width unless otherwise approved by the Commission. The existing driveway on 23rd Street appears to be wider than 35 feet, and the applicant proposes to replace the driveway to a width of 35 feet and install new curbing, sidewalks, and landscaping along the north side of the property. The applicant proposes to widen the existing, north driveway on Kelley Avenue to 35 feet. Both driveways would provide the adequate turning radius and maneuvering space for semi-trucks to access the underground fuel tanks.

   d. **Variance from OAC 120: 10-7-10(2)** to permit parking spaces in the rear yard setback area. There is lack of clarity in the zoning rules as to whether parking spaces are permitted in building setback areas. On residential developments, Staff has interpreted the zoning rules to permit driveways and drive aisles, but not marked parking spaces, in building setback areas. To be consistent, Staff has applied the same interpretation to the proposed commercial development. The applicant proposes to install new parking spaces to the South of the building, and the proposed parking spaces will be 12 feet from the rear (south)
property line, thus encroaching 3 feet into the 15-foot rear yard setback. The proposed parking lot is
designed in this manner to provide a wide, 30-foot, two-way drive aisle that will facilitate refuse truck
access to the trash bins and provide more backing space for the 90-degree angle parking. Staff has no
objection to this request, as the proposed parking will have no impact on the adjacent property to the
South, which is a State maintenance and storage facility.

e. **Variance from OAC 120: 10-5-4.1(8) to permit a trash enclosure in the side yard setback area.** The
zoning rules require setback areas to be open to the sky and to be free of structures and projections. The
proposed trash enclosure would be located southwest of the building in the same general area as the
existing dumpster. The enclosure would be 7 feet, 6 inches in height to fully screen the dumpster from
public view and would be approximately 35 feet in length and 23 feet in depth. The enclosure would have
fiber cement walls and Mueller brand trash enclosure doors as indicated on the attached plans. The
enclosure would be installed approximately 5 feet from the side (west) property line against the existing
retaining wall, thus encroaching 15 feet into the 20-foot side yard setback. This placement is ideal, as it
is located away from the building and the street, it is not close to any residential buildings, and it provides
good truck access.

3. **BP-20-21-45: Building permit for construction of a filling station with convenience store and restaurant.**
The proposed building is 4,650 square feet in gross floor area. Primary exterior materials on the building will
be fiber cement board siding and metal siding as indicated on the architectural elevation drawings.

The proposed fuel canopy is 36’ x 116’ or 4,176 square feet in size and 17 feet, 6 inches in height. The
canopy will be a Mapes brand pre-finished aluminum canopy.

Aside from the specified variances listed above, the proposed building, canopy, and exterior site
improvements are otherwise in compliance with applicable zoning rules.

4. **BP-20-21-46: Building permit for alterations to the existing pylon sign and for installation of wall signs
and fuel island canopy signs.** The proposed signage plans are attached for the Commission’s review. The
existing pylon sign adjacent to 23rd Street will remain in place and will be refaced. The dimensions of the
pylon sign will remain the same. All other proposed signs will be new signs affixed to the new building and
to the fascia of the new canopy. All the proposed signage is in compliance with applicable zoning rules.

**Applicable Zoning Rules for the CN, Neighborhood Commercial District:**

**OAC 120:10-3-24. Neighborhood Commercial District (CN)**

(a) General description. The Neighborhood Commercial District (CN) is intended to provide locations
for retail and service uses oriented toward meeting the regular needs of neighborhood residents. Because
these shops and stores may be a part of the neighborhood, more restrictive requirements for light, air,
open space and off-street parking are made than are provided in other metropolitan commercial district.

(b) Uses permitted. Property and buildings in a CN, Neighborhood Commercial District shall be used
only for the following purposes:

(1) Any uses permitted in a Low Rise General Residential District (RD-3).

(2) Retail stores and shops supplying the regular and customary needs of the residents and primarily
for their convenience, as follows:
(A) Alcoholic Beverage Retail Sales.
(B) Apparel store
(C) Antique Shop.
(D) Automobile service station, but not including body shops or junk yards.
(E) Bakery goods store.
(F) Bank or credit union.
(G) Barber shop or beauty salon.
(H) Book or stationery store.
(I) Dry cleaner, provided cleaning and pressing is not conducted on the premises.
(J) Drug store
(K) Dairy products or Ice Cream store.
(L) Delicatessen.
(M) Electronics store.
(N) Food store.
(O) Funeral home, parlor or mortuary.
(P) Gift shop.
(Q) Jewelry store.
(R) Key shop.
(S) Messenger or Telegraph Service.
(T) Office.
(U) Off-street parking lot.
(V) Painting and Decorating shop.
(W) Pet shop.
(X) Photographer or Artist studio.
(Y) Restaurant, but not including drive-in restaurant.
(Z) Sales or Showroom.
(AA) Self-service laundry or dry cleaner.
(BB) Shoe Repair shop.
(CC) Tailor shop.
(DD) Theatre.

(3) Accessory buildings and uses associated with the uses in (1) through (3) of this Section.

(4) Any building used primarily for any of the enumerated purposes in (1) through (3) of this Section may not have more than 40% of the floor area devoted to purposes incidental to such primary use. Stores shops and businesses permitted under this Section shall be conducted within enclosed buildings. No material or goods offered for sale or stored in connection with the uses enumerated in this Section shall be displayed or stored outside of a building.

(c) Conditional uses permitted on review. The following uses may be permitted upon review in accordance with the provisions of OAC 120:10-13-19:

(1) Any use permitted on review in a High Rise General Residential District (RD-4).

(2) Any other retail establishment serving the Zoning District in a manner that, in the opinion of the Commission, is similar in character to the uses permitted in this Section and is not more obnoxious or detrimental to the area in which it is located.

(d) Height regulations. Except as provided in OAC 120:10-5-3.1, no building shall exceed 2-1/2 stories or 35 feet in height.
(e) **Area regulations.** Except as provided in OAC 120:10-5-4.1, the provisions of this subsection shall apply to all property located in the Neighborhood Commercial (CN) zoning district.

(1) **Front yard.** All buildings shall be set back from the street right-of-way lines to comply with the following front yard requirements.

   (A) The minimum depth of the front yard shall be 25 feet.

   (B) If 25% or more of the lots on one side of the street between 2 intersecting streets is improved with buildings, all of which have observed an average setback line of greater than 25 feet, and no building varies more than 6 feet from this average setback line, then no building shall be constructed closer to the street line than the minimum setback so established by the existing buildings; but this district shall require a front yard of a depth greater than 75 feet.

(2) **Side yard.**

   (A) For dwellings, there shall be a side yard on each side of the building a width of not less than 5 feet. On any corner lot, a building shall be set back from the street line of the intersecting street, a distance of 15 feet if the lot is back to back with another corner lot, and 20 feet in every other case.

   (B) For uses other than dwellings, no side yard shall be required. For uses adjacent to a dwelling district there shall be a side yard of not less than 10 feet, and on all corner lots there shall be a side yard of not less than 20 feet.

(3) **Rear yard.** There shall be a rear yard, which shall have a depth of not less than 25 feet or 20% of the average depth of the lot, whichever is smaller. In all other cases, a rear yard shall not be required except where a lot abuts a dwelling district, in which case there shall be a rear yard of not less than 15 feet.

(4) **Intensity of use.** The intensity of use for residential purposes shall be the same as the Low Rise General Residential District (RD-3). A lot occupied by a multiple-family dwelling of four units shall not be less than 10,100 square feet in area. For each additional dwelling unit, 1,700 square feet shall be added.

(5) **Coverage.** Main and accessory buildings for uses other than residential use shall not cover more than 40% of the lot area on interior lots and 45% of the area on corner lots. In no case shall the gross floor area of main and accessory buildings exceed the total area of the lot.

(f) **Off-Street Parking.** All off-street parking facilities shall be designed and constructed in accordance with Subchapter 7 and Subchapter 17 of this Chapter.

**OAC 120:10-13-18. Powers of the Commission relative to variation**

(a) The Commission is empowered to authorize, as requested a variation from the strict application of this Chapter to relieve difficulties or hardship, but may establish requirements relative to the property to achieve the purpose and intent of this Chapter. The Commission shall have the power to grant variances in the following instances:

   (1) Exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of this Chapter.

   (2) Exceptional topographical conditions or other extraordinary or exceptional situations or conditions of a specific piece of property, which is a condition generally not prevalent in the area.
(3) When the strict application of the requirements of this Chapter would result in peculiar and exceptional undue hardship on the property owner.

(b) The Commission shall not grant a variance for a principal use that is not permitted in the applicable district. It is the expressed spirit and intent of this Chapter that a change of the permitted principal use shall be made by amendment of the regulations or the zoning map.

(c) A variance from the requirements of this Chapter shall be granted by the Commission under the following provisions:

1. The granting of the variance will not confer on the applicant any special privilege that is denied by this Section to the lands, structures, or building in the same district.

2. No nonconforming use of the neighborhood lands, structures, or buildings in the same zone and no permitted use of land, structures, or building in other district shall be considered grounds for issuance of a variance.

Prior Actions:
The Citizens’ Advisory Committee reviewed the applicant's proposed development plans on April 8, 2021, and recommended approval of all the permits and variances requested.

Staff Recommendation:
Staff recommends approval of these requests as submitted, with the condition that work shall be completed according to the submitted plans and that all required permits be obtained from the City of Oklahoma City prior to the commencement of work.

Attachments:
Applications and Supporting Documents 950 NE 23rd Street, Aerial Photo, December 2020
County Assessor Property Record Card Source: Oklahoma County Assessor
Date: March 18, 2021

To: Beverly Hicks beverly.hicks@omes.ok.gov
    Administrative Coordinator
    Capitol-Medical Center Improvement
    & Zoning Commission
    Will Rogers Building
    2401 N. Lincoln Blvd, 2nd Floor
    405-522-0440

From: Terri Massey
tmassey@ge-okc.com
    405-265-0641 x 109

Via: Email beverly.hicks@omes.ok.gov

TRANSMITTAL LETTER

Re: 7-Eleven Store at 950 NE 23rd Street

Attachments:

1 Building Permit Application with the following required supporting documents:
   Site Plan
   Building Plans & Elevations
   Landscape Plan

1 Sign Permit Application with the following required supporting documents:
   Site Plan
   Sign Plans
   Landscape Plan

1 Variance Application with the following required supporting documents:
   Deed to Property
   Letter Explaining Variance Request

Comments: Please accept the attached applications and supporting documents for placement on the April 8, 2021, CMZ Citizens Advisory Committee and the April 23, 2021, Capitol-Medical Zoning Commission dockets. Please contact Mark Grubbs or me if you have any questions.

Thank You,

   Tmassey
I (we), the undersigned owners of the following described property, respectfully make application to the Capitol-Medical Center Improvement and Zoning Commission to request the addition, demolition or alteration of an improvement or structure on the property. In support of the application, the following facts are shown:

Nature of Request

- Erect
- Demolish
- Remodel
- Move On/Modular
- Install
- Add On

Location of Property (Address) and Legal Description:

950 NE 23rd St
State Capitol 1

Legal Description (unplatted land only):

Description of Improvement

Type of Improvement: demolish existing building and erect new convenience store with restaurant & associated fuel islands

Location on Property: center

Number of Stories: 1
Use: convenience store & restaurant
Length: 93.3'
Width: 50'
Height: 24.6'
Square Footage: 4650

Estimated Cost: N/A

Applicant Signature (owner/agent):
Mark Grubbs
mark.grubbs@gc-okc.com

Representative (if applicable):
Mark Grubbs

Phone Number: 405-265-0641
Email: mark.grubbs@gc-okc.com

DRAWINGS COMPLY WITH THE 2017 FLORIDA BUILDING CODE 6TH EDITION AND THE 2014 NATIONAL ELECTRIC CODE

1. FLOOR PLAN

3/16" = 1'-0"

VISION GLAZING

GAS
SANITARY
WATER
ELECTRICAL

1.1
1.2

22'-1"
27'-10"
19'-4"
11'-10"
19'-6"

7-ELEVEN
4,680 AC SQ FT

BUILDING PAD
4,730 SQ FT

7-ELEVEN - OKLAHOMA CITY, OK
950 NE 23RD STREET
OKLAHOMA CITY, OK 73105

CREIGHTON COMPANIES, LLC
2240 WEST FIRST STREET, SUITE 101
FORT MEYERS, FL 33990

2600 Maitland Center Parkway
Suite #200
Maitland, FL 32751
P (407) 661-9100
P (407) 661-9101
Florida Corporate Certificate #AA C000526

Architects  Engineers  Planners
EXTERIOR MATERIALS SCHEDULE

<table>
<thead>
<tr>
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<tr>
<td>M1-1 MEMBRANEROOF</td>
<td>R2-1</td>
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<tr>
<td>N-1 FIBERCEMENT PANEL</td>
<td>R2-2</td>
</tr>
<tr>
<td>C-1 PRE-FINISHED ALUMINUM ABK W1</td>
<td>R2-3</td>
</tr>
<tr>
<td>MT-1 CORRUGATED METAL PANELS</td>
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<tr>
<td>NO. 20 GA. PREFINISHED METAL PARAPET CAP</td>
<td>R2-5</td>
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<tr>
<td>ALL MECHANICAL EQUIPMENT LOCATED ON THE ROOF</td>
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<tr>
<td>WILL BE FULLY SCREENED FROM ADJACENT STREET</td>
<td>R2-7</td>
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<tr>
<td>VIEW AND BUFFERED TO ELIMINATE NOISE</td>
<td>R2-8</td>
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<tr>
<td>CCTV CAMERA TYP.</td>
<td>R2-9</td>
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<tr>
<td>LINE OF VIEW BEYOND</td>
<td>R2-10</td>
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<tr>
<td>WALL PACK LIGHTING TYP.</td>
<td>R2-11</td>
</tr>
<tr>
<td>MAPES LUMINARIE CANOPY</td>
<td>R2-12</td>
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MANUFACTURER-COLOR: MAPES LUMISHADE CANOPY

WIREGUARD CONNECTIONS

NICKEL-CONTAINED WOOD-CEDAR TYP.

20 GA. PREFINISHED METAL PARAPET CAP
City of Oklahoma City, Oklahoma
Oklahoma City Capital Medical Center Code
SubChapter 17

Project Description
This project consists of planting and landscaping areas outside of the proposed building.

MATERIALS LEGEND
- NEW
- EXISTING
- PLANT SCHEDULE

PLANT SCHEDULE

<table>
<thead>
<tr>
<th>BOTANICAL/COMMON NAME</th>
<th>NC.</th>
<th>CONT.</th>
<th>SPACING</th>
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</thead>
<tbody>
<tr>
<td>Acer saccharum 'Gaddo'</td>
<td>2.5&quot; cal.</td>
<td>8' ht</td>
<td>min.</td>
</tr>
<tr>
<td>Ilex verticillata 'Winter Red'</td>
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<td>9' ht</td>
<td>min.</td>
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<td>Ulmus parvifolia 'Alberta'</td>
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<td>min.</td>
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<tr>
<td>Artemisia schmidtiana 'Silver Mound'</td>
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<td>Fothergilla gardenii 'Winter Flame'</td>
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<tr>
<td>Sambucus nigra 'Black Beauty'</td>
<td>2 gallon</td>
<td>3' x 3'</td>
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<tr>
<td>Vaccinium angustifolium 'Bluecrop'</td>
<td>2 gallon</td>
<td>3' x 3'</td>
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**NOTE:** Plant & noted quantities are provided to help bidding. Contractor responsible for verifying exact quantities prior to bidding.

**CERTIFICATE OF AUTHORIZATION NO.**
OKC-11700000000000000000

**NORTH ELEVEN**

**SCALE:** 1" = 20'-0"

**PLAN ADJUSTMENTS:**
- Refer to Sheet L5 for planting notes
- Plant & noted quantities are provided to help bidding. Contractor responsible for verifying exact quantities prior to bidding.

**Derek McCall, Registered Landscape Architect**

**Date:** 03/17/21

**PLANT SCHEDULE**
Read Rules: OAC 120:10-15

I (we), the undersigned owners of the following described property, respectfully make application to the Capitol-Medical Center Improvement and Zoning Commission to request the addition, demolition, or alteration of signage on the property. In support of the application, the following facts are shown:

**Nature of Signage Request (select all that apply)**
- [ ] Installation
- [ ] Demolition
- [ ] Alteration
- [x] Permanent
- [ ] Temporary

**Location of Property (Address) and Legal Description:**
- Address: 950 NE 23rd St
- City: Oklahoma City
- ZIP Code: 73105

<table>
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<tr>
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<th>Block</th>
<th>Lot(s)</th>
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<tr>
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<td>1-12 (less &amp; except)</td>
</tr>
</tbody>
</table>

**Legal Description (unplatted land only):**

**Signage**

<table>
<thead>
<tr>
<th>#</th>
<th>Type</th>
<th>Size</th>
<th>Material(s)</th>
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<tr>
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<td>see attached</td>
</tr>
<tr>
<td>2</td>
<td>wall</td>
<td>see attached</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>3</td>
<td>canopy</td>
<td>see attached</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

**Probable Date of Completion:** April 2022

**Estimated Cost:** N/A

**If signs are temporary what will the dates of display?**

**Will the signs be illuminated?** Yes

**If so, how?** Internally by LED's

**Applicant Signature (owner/agent):**

1800 S Sara Rd

**Street Address:**

**City:**

**ZIP Code:**

405-265-0641

**Phone number:**

**mark.grubbs@gc-okc.com**

**Email:**

---

**ZONING – FORM 007 (05/2018)**

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**PAGE 5 OF 6**
CONCEPTUAL ELEVATIONS

ELEVATION - WALL SIGNAGE

PROPOSED: 111.3 SF
ALLOWED: 305 SF

Job Location: 950 NE 23rd St.,
Oklahoma City, OK 73105

Date: March 17, 2021
Extruded alum. cabinet, retainers to be painted Green TM PMS 341C illuminated with G.E. white LEDs.

Face - 150" Pan formed & embossed white polycarbonate face w/ translucent vinyl graphics applied first surface.

**Electrical Notes:**
- Total Amps: 2.4 A
- Total Circuits: 1 20A required
- Volts: 120 V

This sign will be UL or CUL listed and is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign enclosure and 1/4" drainage/weep holes at 12" on centers or as required by UL.

Display Square Footage (Cabinet): 45

---

**Display Square Footage (Cabinet):** 45
COLOR NOTES:
BACKS: PH517000 CLEAR, .177 WITH PY711400 FILM, 3M, #3635-30 WHITE
FACES: (1) PART OF "7" PH517080 WHITE, .177, (7328) WITH PY711050 FILM, 3M, #3630-44 ORANGE
FACES: (2, 3) PARTS OF "7" PH517080 WHITE, .177, (7328) WITH PY711035 FILM, 3M, #3630-33 RED
FACES: "ELEVEN" PH517080 WHITE, .177, (7328) 3630-26 GREEN VINYL - PY711030
JEWELITE: XC200110 JEWELITE, 1 X 1/4, WHITE PAINT TO MATCH RETURN
RETURNS: CY690050 .050 X 5.33" MILL FINISH PAINT TO MATCH FACE COLOR
LED: EN400281 GE2/GEMM2471-W1

GENERAL NOTES:
SECURE THE TRIM CAP TO THE LETTER RETURN WITH AT LEAST (4) #8 SCREWS SPACED NO GREATER THAN
(A) 12" IF RETURN IS AT LEAST .031" THICK & LESS THAN .050" THICK
(B) 24" IF RETURN IS EQUAL TO OR GREATER THAN .050" THICK
ATTACH TO WALL WITH LAG SCREWS OR THREADED ROD AS REQUIRED BY WALL CONDITIONS

ELECTRICAL NOTES:
TOTAL AMPS = 2.2A
TOTAL CIRCUITS = 1 20A REQUIRED
VOLTS = 120V

THIS SIGN WILL BE UL DE-PUL LISTED AND IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 500 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN, 1/4" BRACKETS ON CENTERS OR AS REQUIRED BY UL. MINIMUM PER UL REQUIREMENT, ALL ELECTRICAL COMPONENTS AND WIRING MUST BE FIXED & SUPPORTED A MINIMUM OF 1/2" ABOVE THE BOTTOM OF SIGN. WARNING LABELS TO BE VISIBLE DURING INSTALL/AVAILABLE AFTER INSTALLATION.

Display Square Footage: 38.2

CUMMINGS

Job Location: 950 NE 23rd St.,
Oklahoma City, OK 73105

Date: March 17, 2021

D-ORDER# 105973.02
Project Mgr.: Hannah McMillion
hannah.mcmillion@cummingsigns.com
Page: 5 of 16
NOTES:
1. LAREDO TACO LOGO: 1 1/4” DEEP FLUSH FACE, HALO AND OPAQUE SIDES TO BE MOUNTED TO THE BUILDING FACADE.
2. FACE OF THE LOGO TO BE PAINTED.
3. NO JEWELITE ATTACHED TO THE LOGO.
4. RETURNS TO BE FROSTED ACRYLIC OPAQUE SIDES
5. PRIMARY ELECTRICAL TO BE STUBBED OUT BY GC PRIOR TO INSTALLATION.

Color Legend

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<td>P-06</td>
<td>Paint to match PMS 376</td>
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Material Legend

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<td>M-10</td>
<td>Acrylic</td>
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</table>

HALO ILLUM. CHANNEL LETTER FORMS SIDES TO BE OPAQUE

Display Square Footage: 53.1
NOTES:
1. **LAREDO TACO LOGO**: 1 1/4" DEEP FLUSH FACE, HALO AND OPAQUE SIDES TO BE MOUNTED TO THE BUILDING FACADE.
2. FACE OF THE LOGO TO BE PAINTED.
3. NO JEWELITE ATTACHED TO THE LOGO.
4. RETURNS TO BE FROSTED ACRYLIC OPAQUE SIDES.
5. PRIMARY ELECTRICAL TO BE STUBBED OUT BY GC PRIOR TO INSTALLATION.

<table>
<thead>
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<tbody>
<tr>
<td>Color Code</td>
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<tr>
<td>Match Color</td>
<td>Match Spec</td>
</tr>
<tr>
<td>and Swatch</td>
<td></td>
</tr>
</tbody>
</table>
 ROUTED ACRYLIC HALO ILLUMINATED LETTER SET

- LOGO TO BE HALO ILLUMINATED
- "RAISE THE" & "ROOST" COPY TO BE HALO ILLUMINATION.
- RED ACCENTS ON "ROOST" TO BE FACE ILLUMINATED.
- CLEAR ACRYLIC WITH CAVITY ROUTED FROM BACK.
- RETURNS - OPAQUE
  - 3630-53 (PMS 2350 CP)
  - WHITE
  - BLACK

- CHICKEN & BISCUITS TO BE FACE & HALO ILLUMINATED.

Display Square Footage: 49.1
ROUTED ACRYLIC / HALO ILLUMINATED LETTER SET

- LOGO TO BE HALO ILLUMINATED
- "RAISE THE" & "ROOST" COPY TO BE HALO ILLUMINATION.
- RED ACCENTS ON "ROOST" TO BE FACE ILLUMINATED.
- CLEAR ACRYLIC WITH CAVITY ROUTED FROM BACK.
- RETURNS - OPAQUE
  - WHITE
  - BLACK

41.5" x 169.5" x 29.5"

Display Square Footage: 42.3

January 17, 2021

63" x 102"

CUMMINGS

Job Location: 950 NE 23rd St.,
Oklahoma City, OK 73105

Date: March 17, 2021

D-ORDER# 105973.02
Project Mgr.: Hannah McMillion
hannah.mcmillion@cumingsigns.com
Page: 9 of 16
CANOPY FASCIA SECTION PROVIDED BY MAPES. SHIPPED TO SIGN PROVIDER TO BE ROUTED OUT FOR INSTALLATION OF COPY. COPY TO BE WHITE ACRYLIC FOR PUSH THRU APPLICATION. LED KIT INCLUDED FOR ILLUMINATION.

REQUIRES 12" MAPES FASCIA KIT:
1. MAPES TO SHIP FASCIA KIT, LESS SIGN PANEL TO G.C.
2. MAPES TO SHIP SIGN PANEL TO APPROVED SIGN MANUFACTURER.
3. APPROVED SIGN MANUFACTURER TO ROUTE OUT COPY ARE IN PROVIDED PANEL, PROVIDE AND INSTALL COPY FOR PUSH THRU APPLICATION.
4. APPROVED SIGN MANUFACTURER TO SHIP PANEL WITH COPY INSTALLED WITH SITE PRODUCT FOR INSTALLATION.

MAPES CONTACT:
KENDALL FRANTZ
NATIONAL ACCOUNT DEVELOPMENT
888.273.1132
nationalaccounts@mapes.com
**COLOR NOTES:**

- **FACE** - .177" 7328 WHITE POLYCARBONATE W/ 1ST SURFACE VINYL
- **RED** - 3M 3630-33, **ORANGE** - 3M 3630-44, **GREEN** - 3M 3630-26
- **STRIPES** - BODY, RETAINER, ENDCAP, SCREWS - PAINT TO MATCH FACE
- **RED** - PMS 485C, **ORANGE** - PMS 021C, **GREEN** - PMS 349C
- **ILLUMINATION** - FACE LIT WITH GEMX2471-W1 WHITE LED

**STOP**

**MORE INFORMATION REQUIRED**

**STRUPE LENGTH SIZES SHOWN ARE APPROXIMATE AND SUBJECT TO CHANGE. ESTIMATES PROVIDED BASED ON THE ABOVE SIZES ARE ALSO SUBJECT TO CHANGE. FIELD SURVEY REQUIRED PRIOR TO MANUFACTURING.**

**Job Location:**

950 NE 23rd St.,

Oklahoma City, OK 73105

Date: March 17, 2021
7-ELEVEN

FRONT (FACING NE 23RD ST.) - ILLUMINATED LETTERS & STRIPES BY CUMMINGS

REAR (FACING STORE) - VINYL STRIPES BY OTHERS

LEFT SIDE (FACING N. KELLEY AVE.) - ILLUMINATED STRIPES BY CUMMINGS

RIGHT SIDE - VINYL STRIPES BY OTHERS

Job Location: 950 NE 23rd St., Oklahoma City, OK 73105

Date: March 17, 2021
PRE-DRILL HOLES FOR FASTENERS

SILICON SEALANT

RETURN FACE TRIM CAPLESS

WEEP HOLES W/ LIGHT BAFFLE

3/8" FASTENERS

POWER SUPPLY IN TRANSFORMER BOX

3/8" RIVET NUT

BACK

FACE

DISCONNECT SWITCH BY G.C.

120 VAC (60-Hz) INPUT

SECTION DETAIL

EQUIPMENT GROUNDED

NOT TO SCALE

COLOR NOTES:
(PAINT INTERIOR SURFACES OF LETTERS W/ LEP)
BACKS: 3mm WHITE ACM
FACES: .750" PLAIN CLEAR ACRYLIC
W/1ST SURFACE TRANSLUCENT VINYL:
"7": TOP OF "7" ORANGE 3630-44,
  BOTTOM OF "7" 3630-33 RED, WHITE STRIPE
"ELEVEN": 3630-26 GREEN
2ND SURFACE: 3635-30 WHITE DIFFUSER
RETURNS: .040" X 3.3" ALUMINUM COIL,
PAINT TO MATCH FACE COLORS:
PMS 021 ORANGE, PMS 485 RED & PMS 349 GREEN
TRADEMARK: .125" ALUM, PAINTED WHITE
W/ 3630-26 GREEN FILM
ILLUMINATION: FACE LIT WITH GE GEMX2471-1 WHITE LEDS

Job Location: 950 NE 23rd St.,
Oklahoma City, OK 73105

D-ORDER# 105973.02
Project Mgr.: Hannah McMillion
hannah.mcmillion@cummingsigns.com

Date: March 17, 2021

Page: 13 of 16
FUEL CANOPY CHANNEL TRI-STRIPE SETS

116' EXISTING CANOPY LENGTH

ON STREET FACING ELEVATION ONLY WITH ILLUMINATED STRIPES WRAPPING TO THE LEFT SIDE

432" EXISTING CANOPY LENGTH

4" CORNER

TRI-STRIPE CORNER SECTION

COLOR NOTES:
FACE - 177" 7328 WHITE POLYCARBONATE W/ 1ST SURFACE VINYL
RED - 3M 3630-33
ORANGE - 3M 3630-44
GREEN - 3M 3630-26
STRIPE BODY, F-RETAINER, SCREWS - PAINT TO MATCH FACE
RED - PMS 485
ORANGE - PMS 021
GREEN - PMS 349
ILLUMINATION - FACE LIT WITH GEMX2471-W1 WHITE LED

GENERAL NOTES:
SHIPPING LIST - SEE SHEET #2

ELECTRICAL NOTES:
TOTAL AMPS - 3.3 A
TOTAL CIRCUITS - 1 20A REQUIRED
VOLTS - 120V-277V

Job Location: 950 NE 23rd St.,
Oklahoma City, OK 73105

Date: March 17, 2021

D-ORDER# 105973.02
Project Mgr.: Hannah McMillion
hannah.mcmillion@cummingsigns.com
Page: 14 of 16
REPLACEMENT FACES

7-ELEVEN FACES
- PAN-FORMED & EMBOSSED POLYCARBONATE FACES W/1ST SURFACE DECORATION

FUEL PRICE FACES
- PAN-FORMED CLEAR POLYCARBONATE FACES BACK SPRAYED BLACK WITH WHITE COPY & 18” (TBD) RED & GREEN DIGITS (PWM)

LTC & RTR SHARED FACES
- PAN-FORMED WHITE POLYCARBONATE FACES W/1ST SURFACE FLAT DECORATION

EXISTING POLE, CABINETS & RETAINERS
- RE-PAINTED TRICORN BLACK SW 6258

7-ELEVEN COLORS
- 3M 3630-26 - 3M 3630-33 - 3M 3630-44 WHITE

LAREDO TACO COLORS
- GREEN PM5 376 WHITE BLACK

RAISE THE ROOST COLORS
- 3630-53 RED WHITE BLACK

SURVEY REQUIRED
VERIFY EXISTING SIGN SIZES & VISIBLE OPENINGS (V.O.)
VERIFY EXISTING OVERALL HEIGHT (O.A.H.)
VERIFY EXISTING CABINET DEPTHS
VERIFY EXISTING POLE SIZE
<table>
<thead>
<tr>
<th>Building Width in Feet</th>
<th>Building Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-24.99</td>
<td>25-39.99</td>
</tr>
<tr>
<td>less than 25</td>
<td>60 sq. ft. sign</td>
</tr>
<tr>
<td>25-35.99</td>
<td>95</td>
</tr>
<tr>
<td>36-45.99</td>
<td>130</td>
</tr>
<tr>
<td>46-55.99</td>
<td>160</td>
</tr>
<tr>
<td>56-65.99</td>
<td>200</td>
</tr>
<tr>
<td>66-75.99</td>
<td>250</td>
</tr>
<tr>
<td>76-85.99</td>
<td>280</td>
</tr>
<tr>
<td>86-99.99</td>
<td>330</td>
</tr>
<tr>
<td>96-105.99</td>
<td>380</td>
</tr>
<tr>
<td>106-115.99</td>
<td>430</td>
</tr>
<tr>
<td>116-124.99</td>
<td>480</td>
</tr>
<tr>
<td>Over 125</td>
<td>535 sq. ft. sign</td>
</tr>
</tbody>
</table>
**PROPERTY INFORMATION (TO BE COMPLETED BY APPLICANT)**

Read Rules: OAC 120:10-10-15

I (we), the undersigned owners of the following described property, respectfully make application to the Capitol-Medical Center Improvement and Zoning Commission for a variance from the zoning rules as requested. In support of the application, the following facts are shown:

**Nature of Request**

- **Variance:** Chapter: 10 Section: see attached

**Location of Property (Address) and Legal Description:**

- **Address:** 950 NE 23rd St
- **City:** Yukon, OK
- **Zip Code:** 73105

- **State Capitol**
- **Block:** 1
- **Lot(s):** 1-12 less & except

**Legal Description (Unplatted Land Only):**

With regard to the property described above, what conditions are peculiar to this location that would warrant the granting of a variance?

Please see attached letter describing variance requests

---

**Applicant Signature (owner/agent):**

1800 S Sara Rd

- **Street Address:** Yukon, OK
- **City:** 73099
- **Zip Code:** mark.grubbs@gc-okc.com

- **Phone number:** 405-265-0641
- **Email:**

**Representative (if applicable):**

- **Mark Grubbs**
- **Phone Number:**
- **Email:**
March 16, 2021

State of Oklahoma
Capitol-Medical Center
Improvement & Zoning Commission
P. O. Box 53448
Oklahoma City, OK 73152-3448

RE: Proposed new 7-Eleven Store at 950 NE 23rd Street

To Whom It May Concern,

Grubbs Consulting, LLC is the consulting engineer and representative for a new 7-Eleven Store at 950 NE 23rd Street in Oklahoma City. The subject property is located at the southwest corner of Kelley Avenue and NE 23rd Street and is located within an overlay zoning district under the jurisdiction of the State of Oklahoma Capitol-Medical Center Improvement and Zoning Commission. The underlying zoning for this particular site is zoned CN, Neighborhood Commercial.

It is our clients intent to demolish the existing fuel islands, canopy and retail building and replace all with a new building, fuel islands, canopy and parking, which will also include replacement of the existing driveways along NE 23rd Street and Kelley Avenue. The existing pylon sign will remain and be remodeled to accommodate uses on the property.

After numerous discussions with the CMZ staff relating to development of the site, it was determined that three applications would be necessary for approval: Building Permit, Sign Permit and Variance Request.

The Variance Application is being submitted because during coordinated review of the project by CMZ staff and our development team, concern was raised in regard to a few items relating to the proposed use on the property; those being outdoor propane sales/outdoor packaged ice sales, the amount of parking required for the proposed use, and the width of the proposed new driveways. We have also been made aware of a possible issue relating to parking within the setback areas (Section 120: 10-3-24(e) Area Regulations for Rear Yard). This letter is being submitted in order to provide an explanation of the development and justification for approval of the following variances to the CMZ Zoning Regulations.
a) Outdoor propane/packaged ice sales: The propane sales would simply consist of a secure area where small propane bottles will be available for consumers. No more than two refrigerated containers for packaged ice are proposed. The secured propane sales area and the containers will be located on the sidewalk adjacent to the building.

b) The CMZ Zoning Regulations do not have a specific parking formula for Convenience Stores; therefore, parking for a convenience store is calculated at one space for every 100 feet (retail sales). Section 120: 10-7-11(a) of the Zoning Regulations state that for any use not covered, the Commission will determine the space requirement based on the parking demand created by the proposed use. Since a convenience store is an establishment which is primarily involved in the provision of frequently needed, day to day goods and services, the use is only intended to serve a limited local market and to be generally within a short walking or driving distance of a residential area, which limits the need for excessive parking spaces. A formula more suited to a convenience store would be one space for every 200 square feet of floor area. This parking ratio for the proposed use is consistent with the requirements of the City of Oklahoma City and multiple surrounding municipalities.

c) A driveway width of 35 feet is being requested for the driveway on NE 23rd Street and the north driveway along Kelley Avenue. This width would permit safe turning for delivery trucks and the semi-trucks delivering fuel.

d) The code is not clear as to whether parking is permitted in yard areas (Section 10-7-10(8)); therefore, it is being requested that the proposed design of the parking areas and dumpster be allowed, which show parking spaces within the rear yard setback and the dumpster along the side yard setback to the west. The adjacent areas are zoned residential; however, they are not being used for residential purposes.

It is respectfully requested that the above variances be permitted, primarily due to the fact that the use on the property is not changing. Rather, ownership of the property is changing which necessitates changes in design.

Respectfully submitted,

Mark Grubbs, PE
Grubbs Consulting, LLC

cc: Creighton Companies LLC
QUIT CLAIM DEED
INDIVIDUAL FORM

THIS INDENTURE, made this 28th day of October, 1996, between The Board Of County Commissioners of the first part, and Ester Thompson, Eric Thompson and Joan Thompson of the second part.

Witnesseth, that said parties of the first part, for due consideration, receipt and sufficiency of which are hereby acknowledged, does hereby quit claim, grant, bargain, sell and convey into the said party of the second part, the following described property situate in Oklahoma County, State of Oklahoma, to wit:

LOTS 1 THRU 12 & E 1/2 OF CULBERTSON DR NOW VACATED ADJ ON W EXCEPT A TRI TR OUT OF LOT 1 BEING 20FT ON N & 20FT ON E, BLK 1, STATE CAPITOL AMEND

together with all and singular the hereditaments and appurtenances thereunto belonging.

To Have and to Hold the above described premises unto the said party of the second part their successors and assigns forever, so that neither they, the said parties of the first part nor any person in their name and behalf, shall or will hereafter claim or demand any right or title to the said premises or any part thereof, but they and everyone of them shall by these presents be excluded and forever barred.

In Witness Whereof, the said parties of the first part have hereunto set their hand the day and year above written.

BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY

CHAIRMAN

MEMBER

MEMBER

STATE OF OKLAHOMA )
COUNTY OF OKLAHOMA )

INDIVIDUAL ACKNOWLEDGMENT

OKLAHOMA FORM

Before me, the undersigned, a Notary Public in and for said County and State on this 28th day of October, 1996, personally appeared Steve Earnest, Chairman, Shirley Darrell, Member and F. G. "Buck" Buchanan, Member, Oklahoma County Board of County Commissioners, to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My commission expires: 3-7-88

Notary Public

EXEMPTION: DOCUMENTARY Stamp Tax O.S. Title 84, Article 1, Section 3201 PAR 12
KNOW ALL MEN BY THESE PRESENTS:

That Ester Thompson a/k/a Ester R. Thompson and Joan Thompson a/k/a Joan L. Thompson, husband and wife, parties of the first part, in consideration of the sum of Ten and No/100 Dollars, and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto Ester Thompson, Trustee of the Ester Thompson Trust Dated December 19th, 2006, a revocable living trust, party of the second part, the following described real property and premises situate in Oklahoma County, State of Oklahoma, to wit:

An undivided two-thirds (2/3rds) interest in and to all of Block One (1), AMENDED PLAT OF STATE CAPITOL ADDITION to Oklahoma City, Oklahoma, according to the recorded plat thereof, and the East Half (E/2) of Culbertson Drive (now vacated) adjacent on the West to said Block One (1), EXCEPT: a triangle tract out of Lot One (1) being 20 feet on the North and 20 feet on the East and more particularly described as follows: beginning at the NE/C of Lot 1; thence West 20 feet; thence Southeasterly to the East line of Lot 1; thence North 20 feet along the East line of Lot 1 to the point or place of beginning,

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said party of the second part, his successors and assigns forever, free, clear and discharged of and from all former grants, charges, taxes and judgments, subject to easements, rights of way and restrictions of record.

Signed and delivered this 19th day of December, 2006.

Ester Thompson
Joan Thompson

STATE OF OKLAHOMA } SS
COUNTY OF OKLAHOMA 

The foregoing instrument was acknowledged before me this 19th day of December, 2006, by Ester Thompson a/k/a Ester R. Thompson and Joan Thompson a/k/a Joan L. Thompson, husband and wife.

Tonya Sandman
Notary Public
#02012783

The consideration for this deed is less than $100.00. No ODS required. 58 O.S. Sections 3201 and 3202(4).
Oklahoma County Assessor's Public Access System

Location: 900 NE 23RD ST

Account: R034350250

Type: Commercial

Building Name/Occupant: CAPITAL SQUARE STATION/ CONOCO/ SUBWAY

Owner Name 1: THOMPSON ESTER

Owner Name 2: THOMPSON ERIC

Billing Address 1: 1133 NE 59TH ST

City, State, Zip: OKLAHOMA CITY, OK 73102

Location: Click to View Image

Land Value: 211,042

Full Market Value: 1,082,748

No comparable sales returned.

Year | Market Value | Taxable Market Value | Gross Assessed | Exemption | Net Assessed | Millage | Tax | Tax Savings
--- | --- | --- | --- | --- | --- | --- | --- | ---
2021 | 1,082,748 | 1,046,140 | 115,074 | 0 | 115,074 | 19.08 | 13,703.18 | 479.52
2020 | 1,115,427 | 996,324 | 109,595 | 0 | 109,595 | 19.08 | 13,050.65 | 1,560.11
2019 | 1,115,427 | 948,880 | 104,376 | 0 | 104,376 | 19.00 | 12,420.84 | 2,180.10
2018 | 924,755 | 903,696 | 99,407 | 0 | 99,407 | 13.44 | 11,276.68 | 262.78
2017 | 924,755 | 860,665 | 94,672 | 0 | 94,672 | 13.35 | 10,731.18 | 759.13

Value History

Account # | Grant Year | Exemption Description | Amount
--- | --- | --- | ---
R034350250 | 1999 | 5% Capped Account | 0

Property Holding Permit History

Issued | Permit # | Provided by | Bldg # | Description | Est Construction Cost | Status
--- | --- | --- | --- | --- | --- | ---
3/1/2001 | 10189134 | OKLAHOMA CITY | I | Other | 20,000 | Inactive
5/1/2019 | 10189135 | OKLAHOMA CITY | I | Demolish | 7,000 | Inactive
10/1/2011 | 10189131 | OKLAHOMA CITY | I | Demolish | 2,500 | Inactive

Click button to view detailed information for each account.
## Building Information

**Account #:** R034350250

<table>
<thead>
<tr>
<th>Feature</th>
<th>Description</th>
<th>Sqft/Area</th>
<th>Number of Stories</th>
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<tbody>
<tr>
<td>R034350250</td>
<td>GBA GBA</td>
<td>4,081</td>
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<table>
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<tr>
<th>Account #:</th>
<th>Bldg #</th>
<th>Description</th>
<th>Qty</th>
<th># Of Units</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>R034350250</td>
<td>1</td>
<td>Canopy - Gas Station Steel</td>
<td>1</td>
<td>2,592</td>
<td>Square Feet</td>
</tr>
<tr>
<td>R034350250</td>
<td>1</td>
<td>Canopy Walkway Finished</td>
<td>1</td>
<td>264</td>
<td>Square Feet</td>
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<tr>
<td>R034350250</td>
<td>1</td>
<td>Diesel Dispenser</td>
<td>1</td>
<td>1</td>
<td>Units</td>
</tr>
<tr>
<td>R034350250</td>
<td>1</td>
<td>Dumpster Enclosure</td>
<td>1</td>
<td>1</td>
<td>Units</td>
</tr>
<tr>
<td>R034350250</td>
<td>1</td>
<td>Gas Pump 2 Side</td>
<td>1</td>
<td>4</td>
<td>Units</td>
</tr>
<tr>
<td>R034350250</td>
<td>1</td>
<td>Retaining Wall Conc 1'-2' high</td>
<td>1</td>
<td>250</td>
<td>Linear Feet</td>
</tr>
<tr>
<td>R034350250</td>
<td>1</td>
<td>Yard Paving Concrete</td>
<td>1</td>
<td>33,072</td>
<td>Square Feet</td>
</tr>
<tr>
<td>R034350250</td>
<td>1</td>
<td>Yard Paving Concrete</td>
<td>1</td>
<td>-4,429</td>
<td>Square Feet</td>
</tr>
</tbody>
</table>

**Additional Details**

**Account #:** R034350250

**Building #:** 1

**Built As:** Convenience Store

**# of Stories:** 1 Stories

**Square Feet:** 4,081

**Year Built:** 2001

**Remodel Year:**

**Building Name:** CAPITAL SQUARE STATION/ CONOCO/ SUBWAY

**Alt Land Use Desc:** Commercial

**Quality Desc:** Very Good

**Bldg Frame Description:** Masonry

**Foundation Desc:**

**Bldg Exterior:**

**Roof Type:** Flat

**Roof Cover:** Built Up Roof

**Avg Floor Height:** 14

**Percent Sprinkled:** 0%

**Bldg Interior:**

**Total Rooms:**

**# of Units w/Bedrooms:**

**# of Bath:** (0)-Full, (0)-3/4, (0)-half

**HVAC Type:** Package Unit

**# of Fire Places:** 0

**Percent Heated:** 100%

**Physical Condition:** Good

**# of Res Units:** 0

**# of Comm Units:** 1

**Commercial Desc:**

**Occ Type:**

**Commercial Class:**

**MFG Home Length:** 0

**MFG Home Width:** 0

**Additional Details**

- Canopy - Gas Station Steel: 1, 2,592 Square Feet
- Canopy Walkway Finished: 1, 264 Square Feet
- Diesel Dispenser: 1, 1 Units
- Dumpster Enclosure: 1, 1 Units
- Gas Pump 2 Side: 1, 4 Units
- Retaining Wall Conc 1'-2' high: 1, 250 Linear Feet
- Yard Paving Concrete: 1, 33,072 Square Feet
- Yard Paving Concrete: 1, -4,429 Square Feet
THIS AGREEMENT is entered into between the City of Oklahoma City, Oklahoma a municipal corporation (“The City”), and The Capitol-Medical Center Improvement and Zoning Commission (“Commission”), a state agency, pursuant to Title 73, Section 83.3(B) of the Oklahoma Statutes to provide for mutual cooperation and joint regulation within the Capitol-Medical Center Improvement and Zoning District (“District”) with respect to zoning regulation enforcement.

1. **PURPOSE.** It is the purpose of this Agreement that The City provide enforcement of the Zoning Code adopted by the Commission and inspect to ensure compliance therewith, within the District.

2. **TERM.** This Agreement shall become effective July 1, 2021 and continue through June 30, 2022; provided however, that said Agreement may be extended into subsequent years by mutual agreement between The City and the Commission.

3. **TERMINATION.** This Agreement may be terminated by any party hereto upon thirty (30) days’ written notice to the other party.

4. **PROPERTY.** It is anticipated that no property will be acquired pursuant to this Agreement. However, if property is acquired, title thereto will remain in the name of the entity paying for the same. Upon termination of this Agreement, said purchased property shall be returned to the purchasing entity.

5. **ADMINISTRATIVE BOARD.** It is not anticipated that an administrator will be necessary for this Agreement. Any further decisions relating to this Agreement shall be made by a Joint Board comprised of the Oklahoma City Manager or designee and the Chair of the Commission.

6. **AUTHORIZATION OF CITY INSPECTORS.** Code inspectors of The City are hereby authorized to inspect properties within the District for compliance with the District’s zoning regulations, Oklahoma City Municipal Code violations, and to issue citations to property owners found to be in violation thereof, and to contract for nuisance abatement, when determined to be appropriate. “The District” as described herein shall mean the area of Oklahoma City which has its boundaries as set forth on the diagram attached hereto and labeled District Boundary Map.

7. **VIOLATIONS-PENALTY-PROSECUTION.**
   a. Citations for violations of any of the zoning regulations promulgated by the Commission shall be filed with the Municipal Court of The City, which Court shall have exclusive jurisdiction.

   b. Pursuant to Title 73, Section 83.14(A) of the Oklahoma Statutes and Chapter 59, Section 7400.4 of the Oklahoma City Municipal Code, 2020, as amended, any person found guilty by the Court of violating said zoning regulations shall be punished by a fine not to exceed Seventy-five Dollars ($75.00), inclusive of costs. Each violation
shall be a separate and distinct offense, and each violation shall constitute a separate offense subject to the application of the full penalty.

For any fine imposed pursuant to a violation of Chapter 59, Section 7400.4 of the Oklahoma City Municipal Code, 2010, in such cases, The City shall receive One Dollar ($1.00) as cost, plus one-half (1/2) of the fine imposed. The remaining one-half (1/2) of the fine imposed shall be paid to the State Treasurer, in accordance with Title 73, Section 83.14 (A) of the Oklahoma Statutes.

8. **RESPONSIBILITY FOR PAY AND BENEFITS.** The City in all cases shall remain liable for the salaries, insurance, and other employee benefits of The City’s inspectors who provide enforcement services pursuant to this Agreement. The Office of Management and Enterprise Services (“OMES”) shall pay to The City, on behalf of the Commission, the sum of $12,000, payable monthly in equal installments for the term of this Agreement, to help defray the expenses of performing inspections and issuing citations in the District.

9. **AUDIT CLAUSE.** All documents, items, or other data, regardless of form, relating to this contract are subject to examination by the Commission and the Oklahoma State Auditor and Inspector. All information relevant to this contract shall be retained by the parties for the duration of the contract term, and for a period of three years following completion and/or termination of the Agreement, or for longer period as required by The City document retention policies.

10. **REPORTING/INVOICE.** The City shall provide a monthly report to the Commission reflecting inspections conducted and citations issued. The report shall be attached to the monthly invoice for review and approval prior to the payment of any fees. Said monthly reports and invoices shall be submitted to the Capitol-Medical Center Improvement and Zoning Commission, Administrative Officer, 2401 N. Lincoln Boulevard, Suite 126, Oklahoma City, OK 73105.

11. **EFFECTIVE DATE.** This Agreement shall be effective when signed by all the parties hereto.

**IN WITNESS WHEREFORE,** the parties hereto have signed this Agreement as herein set forth this ______ day of _________________, 2021.

**THE CITY OF OKLAHOMA CITY**

By:

____________________________
David Holt, Mayor

ATTEST:

____________________________
City Clerk
CAPITOL-MEDICAL CENTER
IMPROVEMENT AND ZONING
COMMISSION

By: __________________________
    Dan Ross, Chair

REVIEWED for form and legality.

Assistant Municipal Counselor
District Boundary Map

CMZ