



Mustang City Council

**MUSTANG MUNICIPAL BUILDING
1501 N. MUSTANG ROAD
MUSTANG, OKLAHOMA 73064**

Mustang City Council

MUSTANG CITY COUNCIL

Tuesday, February 06, 2024 - 7:00 PM
MUSTANG MUNICIPAL BUILDING
1501 N. MUSTANG ROAD
MUSTANG, OKLAHOMA 73064

- A. **CALL TO ORDER**
- B. **PLEDGE OF ALLEGIANCE/INVOCATION**
Mustang Christian Church
- C. **ROLL CALL**
- D. **INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES**
- E. **NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA**

Official action can be taken on items that appear on the agenda or are brought up as new business. In reviewing and responding to any agenda item, the Council may, in whole or in part, adopt, approve, conditionally approve, ratify, deny, defer, amend, strike or continue any agenda item. When more information is needed to act on an item, Council may refer the matter to the City Manager, to the Municipal Counselor, or to a board or commission for additional study. Items may be deferred or continued indefinitely or to a specific date or stricken from the agenda entirely.

F. CONSENT AGENDA

These items are considered on the Consent Agenda so that members of the City Council by unanimous consent can designate routine agenda items to be approved by one motion. If any item proposed on the Consent Agenda does not meet with approval of all Councilmembers, that item will be removed and heard in regular order. In reviewing and responding to any agenda item, the Council may, in whole or in part, adopt, approve, conditionally approve, ratify, deny, defer, amend, strike or continue any item.

F.1 Approval of 01/09/2024 City Council Minutes.

F.2 Approval of 01/22/2024 City Council Work Session Minutes.

F.3 *Claims List for FY2024.

F.4 Approval to Turn Past Due Library Accounts over to Collection Agency.

F.5 Approval of Resolution No. 24-024 making Changes in the Library Fund Budget by Making a Supplemental Appropriation to Increase the 2023-2024 Fiscal Year Budget by \$14,580.

G. INFORMATION/REPORTS

G.1 City Manager Report

G.2 City Council Reports

H. DISCUSSION ITEMS

The following numbered items listed for consideration are included for discussion and action by the City Council. In reviewing and responding to any agenda item, the Council may, in whole or in part, adopt, approve, conditionally approve, ratify, deny, defer, amend, strike or continue any item.

- H.1** Public Hearing and Consideration of Ordinance No. 1296, an Ordinance of The City of Mustang, Oklahoma, Amending the Zoning Ordinance of The City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from C-5, Commercial Intensive District to a Planned Unit Development with R-2, Two-Family District, Declaring Repealer, and Providing for Severability.

- H.2** Public Hearing and Consideration of Specific Use Permit Application SUP-12-11-23-1-30, SW Corner of N Clear Springs Rd & W Rendezvous Way – 7 acres MOL , DHD Corporation, C-3 Commercial General District, Requesting a Specific Use Permit for Mini Storage and RV Storage Units.

- H.3** Consideration of Ordinance No. 1297, an Ordinance of the City of Mustang, Oklahoma, Amending Municipal Code (1) Chapter 122, Article IX, Section 122-851 To Identify and Regulate Permitted Encroachments Into Yard Areas In Residential and Commercial Zoned Properties, Require an Application and Imposing a Fee, and (2) Chapter 42, Section 18, To Establish the Fee for Permitted Encroachments; Declaring Repealer; and Providing for Severability.

- H.4** *Consideration of Ordinance No. 1298, an Ordinance of the City of Mustang, Oklahoma, Amending the Code of Ordinances by: (A) Amending Chapter 118, Section 118-6(A) to Increase the Deposit Fee for Temporary Water Flow Meters; and (B) Amending Chapter 42, Section 42-118(A) to Increase the Deposit Fee for Temporary Water Flow Meters; Declaring Repealer; and Providing for Severability.

I. MATTERS FOR EXECUTIVE SESSION

- I.1** Consideration of In re the Expungement of the Criminal Records of SB, Canadian County, Oklahoma; and, proposed Executive Session as authorized by 25 Okla. Stat. 307(B)(4).
- I.2** Consideration of Stephen and Darla Upchurch, et al. vs. The City of Mustang and Wright Water Corporation, Case No. CJ-2024-19, District Court, Canadian County, State of Oklahoma; and, proposed Executive Session as authorized by 25 Okla. Stat. 307(B)(4).

J. ADJOURNMENT

Note:

***Items considered concurrently on the MIA Agenda.**



Agenda Item No: F.1

Mustang City Council Agenda Item Report

Meeting Date: February 6, 2024

Submitted by: Lisa Martin

Submitting Department: City Clerk

Item Type: Minutes

Agenda Section: CONSENT AGENDA

Subject Title:

Approval of 01/09/2024 City Council Minutes.

Recommendation:

Approve

Initiator:

Lisa Martin

Background:

Minutes from the January 9, 2024, City Council meeting.

Financial Impact:

Staff Comments:

Attachments:

[01-09-2024 City Council Minutes.pdf](#)

**MUSTANG CITY COUNCIL
JANUARY 9, 2024**

The Mustang City Council met in regular session on Tuesday, January 9, 2024, at 7:00 p.m. in the Mustang Municipal Building Council Chambers. Notice of the meeting was posted as required on Friday, January 5, 2024, at 9:10 a.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Mayor Grider called the meeting to order at **7:00 p.m.**

B. PLEDGE OF ALLEGIANCE/INVOCATION Steve Rose, Chaplain, Police & Fire Depts.

Chaplain Rose led the assembly in the Pledge and Invocation.

C. ROLL CALL

Councilmembers Present:	Leete
	Wald
	Waugh
	McKenzie
	Sholund
	Grider

Councilmembers Absent: **Ray**

D. INTRODUCTION OF GUESTS/HEARING OF CITIZENS OR DELEGATES

None.

E. NEW BUSINESS, DELETIONS OR CONTINUANCES TO THE AGENDA

None.

F. CONSENT AGENDA

- F.1 Approval of 12/05/2023 City Council Minutes.
- F.2 *Claims List for FY 2024.
- F.3 Approval to Turn Past Due Library Accounts over to Collection Agency.
- F.4 Approval of Sports Facility Agreements between the City of Mustang and the Mustang Youth Baseball and Softball Associations.
- F.5 Approval of Sports Facility Agreements between the City of Mustang and the Mustang Youth Soccer Association.
- F.6 Approval of Sports Facility Agreements between the City of Mustang and the Mustang Youth Football and Cheer Association.

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Approve the Consent Agenda Items F.1 thru F.6.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider
NAY: None

G. INFORMATION/REPORTS

G.1 City Manager Report

City Manager Rooney stated today was National Law Enforcement Appreciation Day and thanked the City's Police Officers.

G.2 Presentation of Appreciation to Todd and Shari Martin for Donation of Land for Fire Station #2.

Mayor Grider and **Fire Chief Carruth** recognized Todd and Shari Martin for their generous donation and thanked them stating many lives will be served. The Martins were presented with a plaque and a fire axe signed by all members of the Fire Department.

G.3 Presentation and Award of Certificate of Achievement for Excellence by the Government Finance Officers Association of the United States and Canada to the City of Mustang Finance Department.

City Manager Rooney recognized the Finance Department for receiving a Certificate of Achievement for Excellence in Financial Reporting for its Annual Comprehensive Financial Report for the fiscal year ending June 30, 2022. He stated only twelve cities in Oklahoma have achieved this distinguished award presented by the Government Finance Officers Association of United States and Canada.

Rooney also recognized *Finance Director Watts* for her certification of the professional credential of Advanced Certified Public Finance Administrator and stated *Watts* was also recently selected to serve on the International Board of Directors of the Association of Public Treasurers of the United States and Canada.

G.4 Oath of Office for Police Officer Jazreale Wright.

Police Chief Groseclose administered the Oath of Office to Jazreale Wright.

G.2 City Council

Mayor Grider asked the Councilmembers if they had anything to report in their respective Wards:

Councilman Leete congratulated everyone recognized this evening stating it makes him very proud to be a part of this City.

Councilman Wald stated 2023 was an amazing year for Mustang and was looking forward to 2024.

Councilman Waugh thanked everyone being recognized this evening and stated he did receive a call regarding geese stating *City Manager Rooney* resolved it.

Councilman McKenzie stated he forwarded one concern to the City Manager. He thanked the Martins for their generous donation as well as the Finance Department for making everyone look so good.

Councilman Sholund stated he echoed the gratitude to the Martins and the Finance Department stating the donation of land will help serve and save lives and stated the Finance Department has done a great job prior, through and after covid making everyone look stellar.

Mayor Grider stated the filing period for Wards 1, 3 and the Mayor was in December stating Wards 1 and 3 will be re-appointed and the Mayor position will have an election. He stated he had a phone call bragging on the City's Animal Shelter and wanted to share that with everyone. He also stated he was in a meeting last week with other cities who were talking about their issues and asked him about Mustang and he stated he was happy to share that Council gets along, the City Manager and Staff are great and that we were very fortunate.

H. DISCUSSION ITEMS

- H.1 *Consideration of Acceptance of the Annual Comprehensive Financial Report and Report on Internal Control and Compliance with Government Auditing Standards for Fiscal Year ending June 30, 2023.

City Manger Rooney introduced Ms. Anne Elfrink, with Elfrink and Associates, PLLC, who provided an overview of the audit for fiscal year ending June 30, 2023.

Anne Marie Elfrink, MS, CPA, addressed the Council regarding the audit above and provided highlights stating the City received an unmodified opinion. She stated this was the best opinion that can be received stating there were also no findings on the internal control review. Elfrink stated the City of Mustang Finance Department is always great to work with stating staff is very knowledgeable with good leadership.

MOTION was made by **Councilman Sholund**, seconded by **Councilman McKenzie**, to Accept the Annual Comprehensive Financial Report and Report on Internal Control and Compliance with Government Auditing Standards for Fiscal Year ending June 30, 2023.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

- H.2 Consideration of ODOT Urban Project Agreement, Phase 1 of Mustang Trails System, STP-109E(133)EH, 24559(04)(05).

Project and Stormwater Manager Russell stated this agreement with ODOT involves the Mustang Trails System which was originally approved in 2008 stating due to some engineering complications, the project was delayed and was eventually removed from ODOT's construction plan and never completed. He stated after reviewing details of the agreement, it was found the funding for this project was provided through a non-expiring funding opportunity stating because of that, ODOT has agreed to make the funds available for the project and allow it to move forward with construction. He stated due to the time that had passed, a new funding agreement was necessary before the project could move forward.

MOTION was made by **Councilman McKenzie**, seconded by **Councilman Wald**, to Approve the Agreement.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

I. MATTERS FOR EXECUTIVE SESSION:

None.

J. ADJOURNMENT

MOTION was made by **Councilman Sholund**, seconded by **Councilman Wald**, to adjourn.

AYE: Leete, Wald, Waugh, McKenzie, Sholund, Grider

NAY: None

The meeting was adjourned at **7:33 p.m.**

Brian Grider, Mayor

Attest:

Lisa Martin, City Clerk



Agenda Item No: F.2

Mustang City Council Agenda Item Report

Meeting Date: February 6, 2024

Submitted by: Lisa Martin

Submitting Department: City Clerk

Item Type: Minutes

Agenda Section: CONSENT AGENDA

Subject Title:

Approval of 01/22/2024 City Council Work Session Minutes.

Recommendation:

Approve

Initiator:

Lisa Martin

Background:

Minutes from the January 22, 2024, City Council Work Session meeting.

Financial Impact:

Staff Comments:

Attachments:

[01-22-2024 City Council Work Session Minutes.pdf](#)

**MUSTANG CITY COUNCIL
JANUARY 22, 2024
SPECIAL MEETING**

The Mustang City Council met in special session on Monday, January 22, 2024, at 6:00 p.m. in the Mustang Municipal Building Community Development Conference Room, 1501 N. Mustang Road, Mustang, Oklahoma. Notice of the meeting was posted as required on Thursday, January 18, 2024, at 11:50 a.m. in compliance with the Open Meeting Law, 25 O.S., Section 301, et. seq.

A. CALL TO ORDER

Mayor Grider called the meeting to order at 6:00 p.m.

B. ROLL CALL

Councilmembers Present:	Ray
	Leete
	Wald
	Waugh
	McKenzie
	Grider

Councilmembers Absent:	Sholund
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C. DISCUSSION ITEMS

C.1. Infrastructure Update for Streets, Water, and Sewer Projects.

Assistant City Manager Battles provided a roads update regarding the Intersection of Southwest 89th and State Highway 4, and Southwest 89th Street from State Highway 4 to Mustang Road, as well as an update regarding the Pavement Management Plan. He stated the City partnered with Cowan Engineering to determine a Pavement Management Plan that was developed in order for the City to assess, prioritize, and budget for preservation and repairs stating the plan was implemented in the fiscal year 2024 and provides a five year capital outlay for residential and section line roads that are not designated state highways. **Battles** provided information regarding roads completed in the current fiscal year as well as roads to be completed in the next fiscal year.

Discussion was held regarding the roads in the Pavement Management Plan.

Battles stated he meets with Emergency Services periodically for impact areas and discussed the 2024 Project List information shared with Emergency Services.

- C.2. Pros of Adopting a Property Maintenance Code and Seeking Council Direction.

City Manager Rooney stated several years ago, a Property Maintenance Code (PMC) was discussed with a previous Council stating it was not well received stating the PMC is a module in the International Building Code system and is the only one the City has not adopted. He stated Staff's intention in adopting this module would be to assist Code Enforcement in resolving maintenance issues on properties that would not be otherwise covered in our existing municipal code such as broken windows, roof issues, etc. **Rooney** stated the PMC governs the fitness of the property for habitation and ensures that the neighboring properties do not lose value through lack of maintenance on a residential structure. He stated unless he hears otherwise from Council, Staff will proceed in researching the PMC and bring to Council for action.

- C.3. Update regarding the Mustang Marketplace Development.

City Manager Rooney provided updates regarding Mustang Marketplace, a new development located by Wal Mart. He stated the developer had approached the City regarding possible sales tax incentives for Lot 5 in order to attract a big box retailer to that location. **Rooney** stated he met with *Finance Director Watts* regarding different incentives that could possibly be offered and provided a recap of those to Council. He stated unless he hears otherwise from Council, Staff will move forward and bring to Council for action.

D. MATTERS FOR EXECUTIVE SESSION

- D.1 Discussion of DHD Corp. v. City of Mustang, Case No. CV-2022-79, District Court, Canadian County, State of Oklahoma; and, proposed Executive Session as authorized by 25 Okla. Stat. § 307(B)(4).

MOTION was made by **Mayor Grider**, seconded by **Councilman Leete**, to Adjourn to Executive Session.

AYE: Ray, Leete, Wald, Waugh, McKenzie, Grider
NAY: None

TIME ADJOURNED to Executive Session: **6:57 p.m.**

Mayor Grider called the meeting back into Session.

TIME RETURNED to Executive Session: **7:02 p.m.**

D. UPDATE ON MANAGEMENT RELATED ISSUES

City Manager Rooney briefed Council on the following items:

- the hiring of a new Code Enforcement Officer as well as Human Resources Director stating *Human Resources Director Anderson* extended her retirement date to June 1st in order to help train;
- City Manager's winter conference is this week stating *Assistant City Manager Battles* would be attending. **Rooney** stated he would not be attending as he was flying home next week to visit family and would be back Tuesday, February 6th for the Council meeting;
- the Legislative Breakfast will be held Tuesday, January 30th at 8:00 am at the Community Center Banquet Hall.

F. ADJOURNMENT

MOTION was made by **Councilman Wald**, seconded **Councilman Waugh**, to adjourn.

AYE: Ray, Leete, Wald, Waugh, McKenzie, Grider

NAY: None

The meeting was adjourned at **7:16 p.m.**

Brian Grider, Mayor

Attest:

Lisa Martin, City Clerk



Agenda Item No: F.3

Mustang City Council Agenda Item Report

Meeting Date: February 6, 2024

Submitted by: Ashley Neely

Submitting Department: Finance

Item Type: Approval

Agenda Section: CONSENT AGENDA

Subject Title:

*Claims List for FY2024.

Recommendation:

Approve

Initiator:

Ashley Neely

Background:

Claims List for FY24

Financial Impact:

\$654,966.06

Staff Comments:

Attachments:

[GF Claims List - FY24.pdf](#)

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00 MAYOR AND COUNCIL						
24-1175	01-C0108	COWAN GROUP ENGINEERING, L	ENGINEERING FEES	12/2023	8158A	582.00
DEPARTMENT TOTAL:						582.00
DEPARTMENT: 11 CITY MANAGER						
24-0116	01-B0274	HEALTH CARE SERVICE CORPOR	RETIRE HEALTH INSURANCE	1/2024	202401180504	3,316.91
24-0503	01-C0020	CANADIAN COUNTY CLERK	FILING FEES-RESOLUTIONS	9/2023	R819497	24.00
24-0086	01-D1082	DELTA DENTAL PLAN OF OKLAHO	RETIREE DENTAL INSURANCE	1/2024	202401180508	509.14
24-0475	01-G0133	DALLAS-FORT WORTH HOSPITAL	BACKGROUND CHECKS	12/2023	00104610	103.95
24-1262	01-M0115	MTM RECOGNITION CORP	5 & 10 YR SERVICE AWARDS	1/2024	6183800	176.50
24-0137	01-M0180	MUSTANG CHAMBER OF COMMERCE	CHAMBER LUNCHEONS	1/2024	19669	500.00
24-0330	01-S0137	STANDARD INSURANCE COMPANY	RETIREE VISION	1/2024	202401180519	71.82
24-1185	01-V0106	VALIR OUTPATIENT CLINICS, L	PRE-EMPL DRUG SCREENS	12/2023	482538	90.00
DEPARTMENT TOTAL:						4,792.32
DEPARTMENT: 12 LIBRARY						
24-1093	01-B1023	BTAC UNITED ACQUISITION	HOLBOOKS	12/2023	5018671893	20.96
24-1093	01-B1023	BTAC UNITED ACQUISITION	HOLBOOKS	1/2024	5018692658	1,034.26
24-0221	01-C1068	CDW LLC	INK	12/2023	NR12748	223.19
24-1061	01-C1068	CDW LLC	INKJET INK	12/2023	NR54247	192.39
24-0212	01-M0263	MIDWEST TAPE, LLC	NON-PRINT ITEMS	12/2023	504819585	142.57
24-0212	01-M0263	MIDWEST TAPE, LLC	NON-PRINT ITEMS	1/2024	504866401	39.19
24-1345	01-T0180	THE TUTTLE TIMES	TUTTLE TIMES	1/2024	202401180520	35.00
DEPARTMENT TOTAL:						1,687.56
DEPARTMENT: 13 PARKS AND RECREATION						
24-0286	01-C0106	CINTAS CORPORATION NO. 2	WHP BATHROOM SUPPLIES	1/2024	4179189780A	26.18
24-0276	01-C0286	CIVICPLUS, LLC	CIVIC REC SOFTWARE FEES	12/2023	290096	577.21
24-0274	01-F0078	DAIOHS USA, INC	MEETING SUPPLIES	1/2024	384351	73.35
24-1254	01-Y0040	YUKON TROPHY & AWARDS INC	TROPHIES-4&5 YR OLD BBALL	1/2024	124112	1,282.50
DEPARTMENT TOTAL:						1,959.24

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 15		GENERAL GOVERNMENT				
24-0497	01-00014	OK MUNICIPAL ASSURANCE GROUP	PUBLIC OFFICIAL BOND	1/2024	202401180515	250.00
24-0333	01-S0173	STANDLEY SYSTEMS, LLC	COPIER LEASE/USAGE	1/2024	INV1595499	2,122.95
DEPARTMENT TOTAL:						2,372.95
DEPARTMENT: 18		TOWN CENTER				
24-0314	01-A0110	ALL SEASON BUILDING SUPPLY	SMALL TOOLS & EQUIPMENT	12/2023	358641	97.88
24-0290	01-A0227	ALLIED ELEVATOR SERVICES, I	INSPECTION & MAINTENANCE	1/2024	2154068	175.00
24-0302	01-C0106	CINTAS CORPORATION NO. 2	JANITORIAL SUPPLIES	1/2024	4179189780	944.38
24-0393	01-D0144	DON-CO SEWER & DRAIN	A/V EQUIPMENT REPAIRS	1/2024	6835	790.00
24-1097	01-D0144	DON-CO SEWER & DRAIN	PLUMBING REPAIRS	1/2024	6804	515.00
24-0681	01-D0160	DANE & ASSOCIATES ELECTRIC	ELECTRIC REPAIRS	1/2024	7116	372.78
24-1124	01-D0160	DANE & ASSOCIATES ELECTRIC	ELECTRICAL REPAIRS	1/2024	7117	180.00
24-0989	01-H0165	HD SUPPLY, INC	JANITORIAL SUPPLIES	12/2023	780926713	365.87
24-1323	01-00179	STATE OF OKLAHOMA	FIRE EXTINGUISHER CHARGE	1/2024	240102E33705	225.00
24-0297	01-S0380	SUMMIT FIRE & SECURITY LLC	FIRE MONITORING	1/2024	1354948	416.00
24-0299	01-W0139	WEATHERMAN MECHANICAL, INC	FALL & SPRING MAINTENANCE	12/2023	S-A24555	3,183.43
24-0401	01-W0139	WEATHERMAN MECHANICAL, INC	HVAC REPAIRS	9/2023	S-A24331	500.12
24-0401	01-W0139	WEATHERMAN MECHANICAL, INC	HVAC REPAIRS	12/2023	S-A24627	1,233.71
DEPARTMENT TOTAL:						8,999.17
DEPARTMENT: 19		BALL COMPLEX				
24-0405	01-A0110	ALL SEASON BUILDING SUPPLY	FIELD MAINTENANCE	12/2023	358645	176.31
24-0450	01-B1019	BEN E. KEITH COMPANY	CONCESSION SUPPLIES	1/2024	66353040	113.87
24-0722	01-B1019	BEN E. KEITH COMPANY	FOOD/CANDY/PPGOODS CONC	1/2024	66353040A	60.36
24-0744	01-D0144	DON-CO SEWER & DRAIN	PLUMBING AT SPORTS COMPLE	12/2023	6786	425.00
24-1329	01-D0235	BLAKE DICKSON	SFMA CONFERENCE PER DIEM	1/2024	202401180507	240.00
24-0446	01-F0144	405 TECHNOLOGY SOLUTIONS, L	POS SYSTEM-CONCESSIONS	1/2024	2532	92.25
24-0997	01-I1119	STEPHENSON WHOLESALE CO., I	CONCESSION SUPPLIES	1/2024	7800188	268.63
24-0403	01-00034	OWENS SEPTIC SERVICE, LLC	DOG PARK POTTY RENTAL	12/2023	12102023-16	210.00
24-0403	01-00034	OWENS SEPTIC SERVICE, LLC	DOG PARK POTTY RENTAL	1/2024	01022024-01	210.00
24-1341	01-P0086	MINISTRY BRANDS PARENT, LLC	BACKGROUND CHECKS	1/2024	642691QB	199.00
24-0900	01-P0144	BOTTLING GROUP, LLC	CONCESSIONS BEVERAGES	11/2023	98717259	365.05-
24-0900	01-P0144	BOTTLING GROUP, LLC	CONCESSIONS BEVERAGES	12/2023	80140359	72.06-
24-0900	01-P0144	BOTTLING GROUP, LLC	CONCESSIONS BEVERAGES	1/2024	81188406	659.07
DEPARTMENT TOTAL:						2,217.38

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 20 AQUATICS						
24-1073	01-A1120	AMUSEMENT RESTORATION COMPARE	SURFACING STAIRS/DECKS	12/2023	1379A	1,800.00
24-1294	01-D0144	DON-CO SEWER & DRAIN	WINTERIZE AQUATIC CENTER	1/2024	6840	425.00
DEPARTMENT TOTAL:						2,225.00
DEPARTMENT: 31 COMMUNITY DEVELOPMENT						
24-0379	01-00096	OKLAHOMA UNIFORM BUILDING	CBUILDING PERMIT FEES	12/2023	202401180516	224.00
24-0385	01-S0373	RPS AUTO LLC	BULK OIL & LUBE	1/2024	00543-31626	92.99
DEPARTMENT TOTAL:						316.99
DEPARTMENT: 41 POLICE						
24-0025	01-A0039	A.S.C. INCORPORATED	VEHICLE PARTS	12/2023	188895	436.38
24-0793	01-C0050	SM COKER ENTERPRISE LLC	MISC PLUMBING	1/2024	202401180506	285.00
24-1278	01-C0050	SM COKER ENTERPRISE LLC	PLUMBING REPAIRS	1/2024	202401180505	200.00
24-0553	01-C0232	COPS PRODUCTS	UNIFORM ORDER FOR OFFICER	12/2023	202308675A	10.99
24-1194	01-C0232	COPS PRODUCTS	REPLACE PANTS-HAWKINS	12/2023	202308675	80.00
24-1201	01-C0232	COPS PRODUCTS	NEW HIRE OFFICER UNIFORMS	12/2023	202308944	253.96
24-1021	01-C2004	COMPLIANCE RESOURCE GROUP,	PENSION PHYS NEW OFFICER	1/2024	81242	600.00
24-0769	01-G0204	BOYD GROUP U S INC	INS DEDUCT COL REPAIR 248	8/2023	5000912216	800.00
24-0100	01-S0373	RPS AUTO LLC	PD VEHICLE OIL CHANGES	12/2023	00543-30337	752.56
24-0104	01-T0029	WEST PUBLISHING CORPORATION	CLEAR INVESTIGATIVE TOOL	1/2024	849516572	236.13
24-0107	01-T1029	THOMAS L DAVIS	JAIL LAUNDRY SERVICE	12/2023	000444	227.95
DEPARTMENT TOTAL:						3,882.97
DEPARTMENT: 42 ANIMAL WELFARE						
24-0415	01-H0182	HALO ANIMAL HOSPITAL, PLLC	VETERINARY SERVICES	1/2024	423512	154.82
24-1180	01-H0191	WENDY HOWARD DVM, PC	SPAY & NEUTER SERVICES	1/2024	2136301	313.00
DEPARTMENT TOTAL:						467.82
DEPARTMENT: 51 FIRE						
24-0343	01-A0110	ALL SEASON BUILDING SUPPLY	BUILDING REPAIR & MAINT	1/2024	361153	20.11
24-1080	01-C0231	CONRAD FIRE EQUIPMENT, INC.	MODULE FOR E-2	1/2024	572964	84.21
24-1083	01-M2254	MYDER, LLC	E1 ANNUAL PUMP TEST/MAINT	1/2024	ML05008	571.65
24-1084	01-M2254	MYDER, LLC	E2 ANNUAL PUMP TEST/MAINT	1/2024	ML05007	571.65
24-1085	01-M2254	MYDER, LLC	E4 ANNUAL PUMP TEST/MAINT	1/2024	ML05006	571.65
24-1205	01-00160	OKLAHOMA STATE FIREFIGHTERS	SOK FF ASSOC MEMBERSHIP	1/2024	25043	2,160.00
24-1297	01-S0386	SEEK THERMAL, INC.	REPL PORT COVER & BATTERY	1/2024	INV43564	160.00
DEPARTMENT TOTAL:						4,139.27
FUND TOTAL:						33,642.67

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00		ADMINISTRATION				
24-0327	01-S0085	SILVER STAR CONSTRUCTION COMAINTENANCE CONTRACT			12/2023 34417	757.00
DEPARTMENT TOTAL:						757.00
FUND TOTAL:						757.00

FUND: 06 - ENFORCE OF ALCOHOL LAWS

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 41		ENFORCE OF ALCOHOL LAWS				
24-0034	01-B0109	STATE OF OKLAHOMA BOARD OF INTOXILYZER PERMIT RENEW.		12/2023	14588	264.00
DEPARTMENT TOTAL:						264.00
FUND TOTAL:						264.00

FUND: 11 - PARK'S DONATION

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00		ADMINISTRATION				
24-1066	01-02067	OKLAHOMA DEPARTMENT OF CORRADOPT A BENCH		1/2024	115080	1,056.00
DEPARTMENT TOTAL:						1,056.00
FUND TOTAL:						1,056.00

FUND: 14 - STREET/DRAINAGE IMP

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 14		ADMINISTRATION				
24-0327	01-S0085	SILVER STAR CONSTRUCTION COMAINTENANCE CONTRACT			12/2023 34417	35,656.10
DEPARTMENT TOTAL:						35,656.10
FUND TOTAL:						35,656.10

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 01 CITY ATTORNEY						
24-0603	01-T0029	WEST PUBLISHING CORPORATION	WESTLAW PRO	1/2024	849551608	345.00
DEPARTMENT TOTAL:						345.00
DEPARTMENT: 18 TOWN CENTER						
24-0711	01-D0168	DH PACE COMPANY, INC.	DUTCH DOOR CHILDCARE ROOM	10/2023	ACR/270-12906	4,422.00
DEPARTMENT TOTAL:						4,422.00
DEPARTMENT: 20 AQUATICS						
24-1072	01-A1120	AMUSEMENT RESTORATION COMPARE	SURFACING SLIDE TOWER	12/2023	1379	10,100.00
DEPARTMENT TOTAL:						10,100.00
DEPARTMENT: 72 WATER						
24-0617	01-L0052	LOCKE SUPPLY CO	PARTS FOR WATER LINES	1/2024	51485785-00	193.46
24-1251	01-P0049	PIONEER SUPPLY, LLC	WATER METERS	12/2023	INV62309	305.30
DEPARTMENT TOTAL:						498.76
DEPARTMENT: 75 SEWER						
24-0003	01-U0034	UNITED TRENCHING	SH152 SEWER LINE RELOCATI	1/2024	202401180521	338,717.25
DEPARTMENT TOTAL:						338,717.25
FUND TOTAL:						354,083.01

FUND: 69 - RISK MANAGEMENT

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00 ADMINISTRATION						
24-1275	01-B0048	BARNUM & CLINTON, PLLC	WC CLAIM #2022-13	12/2023	202401180503	1,040.00
24-0923	01-H0174	HEALTHSMART BENEFIT SOLUTION	WORKERS COMP SERVICE FEES	1/2024	398697	125.00
24-1348	01-H0174	HEALTHSMART BENEFIT SOLUTION	WC CLAIM #2022-10	1/2024	202401180510	175.19
24-1350	01-I0053	INDEPENDENT MEDICAL EXAMIN	WC CLAIM #2009-07	1/2024	202401180511	50.00
24-1349	01-M0267	MEDICAL CLAIMS REVIEW SERV	MEDICAL BILL AUDIT FEE	1/2024	202401180512	86.84
24-1347	01-M0299	B3W LLC	WC CLAIM #2023-03	1/2024	202401180513	105.63
24-1351	01-M1237	MCBRIDE CLINIC ORTHOPEDIC	HWC CLAIM #2022-14	1/2024	202401180514	124.27
24-0489	01-O0181	STATE OF OKLAHOMA	MULTIPLE INJURY FUND	12/2023	202401180517	1,311.73
24-1277	01-R0086	MICHELLE RIPPETOE, INC.	WC CLAIM #2022-13	12/2023	202401180518	60.00
24-1276	01-W0108	SERVrx, INC.	WC CLAIM #2009-07	12/2023	202401180522	2,823.83
DEPARTMENT TOTAL:						5,902.49
FUND TOTAL:						5,902.49

FUND: 01 - GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00 MAYOR AND COUNCIL						
24-1175	01-C0108	COWAN GROUP ENGINEERING, L	ENGINEERING FEES	1/2024	8259	4,580.00
DEPARTMENT TOTAL:						4,580.00
DEPARTMENT: 11 CITY MANAGER						
24-0118	01-J1071	JAN-PRO OF OKC	CLEANING SERVICES	2/2024	INV37933	880.00
24-0528	01-M0234	MUSTANG TIMES LLC	LEGAL PUBLICATIONS	12/2023	MT616635	12.60
DEPARTMENT TOTAL:						892.60
DEPARTMENT: 12 LIBRARY						
24-1321	01-B0295	ALAINA BROWN	OLA CONF PER DIEM	1/2024	202401310638	80.00
24-1093	01-B1023	BTAC UNITED ACQUISITION	HOLBOOKS	1/2024	5018727794	1,788.77
24-0548	01-C1014	CENGAGE LEARNING, INC.	LARGE PRINT BOOKS	1/2024	83568288	471.82
24-1142	01-I0023	INGRAM INDUSTRIES INC.	JUVENILE BOOKS	1/2024	79983523	344.85
24-1325	01-I0023	INGRAM INDUSTRIES INC.	YA BOOKS	1/2024	79983522	300.27
24-1324	01-S2021	JULIE SLUPE	OLA CONF PER DIEM	1/2024	202401310648	80.00
DEPARTMENT TOTAL:						3,065.71
DEPARTMENT: 13 PARKS AND RECREATION						
24-0286	01-C0106	CINTAS CORPORATION NO. 2	WHP BATHROOM SUPPLIES	1/2024	4180690412A	37.28
DEPARTMENT TOTAL:						37.28
DEPARTMENT: 15 GENERAL GOVERNMENT						
24-1391	01-F0076	IHC VENTURES LLC	FLAGS	1/2024	9255	86.00
24-0321	01-S0306	SETH B SHAY	PEST CONTROL SERVICES	1/2024	012524-3	600.00
24-1023	01-S0306	SETH B SHAY	PEST CONTROL NEW FS	1/2024	2036	160.00
DEPARTMENT TOTAL:						846.00
DEPARTMENT: 18 TOWN CENTER						
24-0302	01-C0106	CINTAS CORPORATION NO. 2	JANITORIAL SUPPLIES	1/2024	4180690412	1,083.00
24-1067	01-D0168	DH PACE COMPANY, INC.	DOOR REPAIRS	12/2023	SVC/270-68504	267.75
24-0289	01-J1071	JAN-PRO OF OKC	CLEANING SERVICE	2/2024	INV37935	3,595.00
24-0789	01-S0380	SUMMIT FIRE & SECURITY LLC	ALARM REPAIRS	1/2024	1375283	546.25
DEPARTMENT TOTAL:						5,492.00

FUND: 01 - GENERAL FUND

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 19 BALL COMPLEX						
24-0899	01-B1019	BEN E. KEITH COMPANY	FOOD/SUPPLIES CONCESSIONS	1/2024	66363993	314.87
24-0754	01-G0086	W.W. GRAINGER, INC.	PUMPS, PLMBNG PRTS, MISC	8/2023	9816024054	524.20
24-0997	01-I1119	STEPHENSON WHOLESALE CO.,	ICONCESSION SUPPLIES	1/2024	7806652	209.87
DEPARTMENT TOTAL:						1,048.94
DEPARTMENT: 21 FINANCE						
24-0063	01-C0245	CRAWFORD & ASSOCIATES, P.C.	CONSULTING, GASB REVIEWS,	1/2024	18002	25.00
DEPARTMENT TOTAL:						25.00
DEPARTMENT: 31 COMMUNITY DEVELOPMENT						
24-0378	01-C0020	CANADIAN COUNTY CLERK	MOWING & CLEANING ABATEME	1/2024	R833120	18.00
24-1398	01-RF0089	GEOFF WILLIS	REFUND-1308 W HYDE PARK W	1/2024	202401310646	2,371.40
DEPARTMENT TOTAL:						2,389.40
DEPARTMENT: 41 POLICE						
24-1337	01-A0084	BADGEPASS, INC	ID CARD PRINTER INK	1/2024	INV112098	525.00
24-1357	01-C0330	CARWORK, LLC	REPAIRS TO UNIT #253	1/2024	10008601192024	882.31
24-0105	01-T0198	TOP TIER TACTICAL, SURVIVAL	BALLISTIC VESTS	1/2024	2918-A	3,280.00
24-0544	01-V0028	DIGITAL MARKETS, INC	SOLACOM INTEGRATION	1/2024	7280	4,229.00
DEPARTMENT TOTAL:						8,916.31
DEPARTMENT: 42 ANIMAL WELFARE						
24-0412	01-D0090	OK DEPT. OF PUBLIC SAFETY	OLETS DATA TERMINALS	1/2024	LET-013160A	15.00
24-1243	01-00273	OKLAHOMA HUMANE SOCIETY	SPAY & NEUTER SERVICES	1/2024	2135884	285.00
24-0424	01-01085	OKLAHOMA STATE UNIVERSITY	SPAY & NEUTER SERVICES	9/2023	5-556903-002A	90.00
DEPARTMENT TOTAL:						390.00
DEPARTMENT: 51 FIRE						
24-1368	01-G0143	ZANE GORDON	HEARTLAND CONF PER DIEM	1/2024	202401310641	120.00
24-0640	01-H0165	HD SUPPLY, INC	CLEANING SUPPLIES	1/2024	783119340	99.39
24-1370	01-L0120	JAMES KADE LOUPE	HEARTLAND CONF PER DIEM	1/2024	202401310644	120.00
24-0340	01-00025	O'REILLY AUTOMOTIVE STORES,	VEHICLE REPAIR & MAINT	1/2024	0309-281294	32.97
24-1369	01-S0337	LEVI SETLIFF	HEARTLAND CONF PER DIEM	1/2024	202401310647	120.00
24-0326	01-U0055	UNIFIRST HOLDINGS INC.	SHOP TOWEL SERVICE	1/2024	2770127656	80.69
DEPARTMENT TOTAL:						573.05
FUND TOTAL:						28,256.29

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 07	ADMINISTRATION					
24-1322	01-B1115	SHEILA BARNARD	OLA CONF PER DIEM	1/2024	202401310639	80.00
DEPARTMENT TOTAL:						80.00
FUND TOTAL:						80.00

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 41		POLICE ENFORCEMENT				
24-0055	01-D0090	OK DEPT. OF PUBLIC SAFETY	TERMINAL ACCESS	1/2024	LET-013160	585.00
DEPARTMENT TOTAL:						585.00
FUND TOTAL:						585.00

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00		ADMINISTRATION				
24-1280	01-02067	OKLAHOMA DEPARTMENT OF CORRADOPT A BENCH PROGRAM			1/2024 115267	402.00
DEPARTMENT TOTAL:						402.00
FUND TOTAL:						402.00

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 14		ADMINISTRATION				
24-1175	01-C0108	COWAN GROUP ENGINEERING, LLENGINEERING FEES		1/2024	8260B	816.50
24-1189	01-C0108	COWAN GROUP ENGINEERING, LLGIS MONTHLY UPDATES		1/2024	8257	1,800.00
24-0244	01-T1113	TRAFFIC SIGNALS, INC.	TRAFFIC SIGNALIZATION	1/2024	17136	180,000.00
DEPARTMENT TOTAL:						182,616.50
FUND TOTAL:						182,616.50

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 13 PARK AND RECREATION						
24-1264	01-00211	JONATHAN GRIDER	\FITNESS EQUIP REPLACEMENT	1/2024	6735	4,587.17
24-1274	01-T1201	TRUE FITNESS TECHNOLOGY, IN	FITNESS EQUIPMENT	1/2024	0001013766	4,661.77
DEPARTMENT TOTAL:						9,248.94
DEPARTMENT: 21 FINANCE						
24-1359	01-C1068	CDW LLC	CABLE FOR PRINTER	1/2024	PC11900	27.97
DEPARTMENT TOTAL:						27.97
DEPARTMENT: 61 STREETS						
24-1175	01-C0108	COWAN GROUP ENGINEERING, L	ENGINEERING FEES	1/2024	7612H	730.00
DEPARTMENT TOTAL:						730.00
DEPARTMENT: 72 WATER						
24-0617	01-L0052	LOCKE SUPPLY CO	PARTS FOR WATER LINES	1/2024	51629624-00	972.23
DEPARTMENT TOTAL:						972.23
FUND TOTAL:						10,979.14

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00		ADMINISTRATION				
24-1396	01-D0147	DIAGNOSTIC LABORATORY OF OKWC CLAIM #2023-03		1/2024	202401310640	34.93
24-1406	01-H1074	HPI PHYSICIANS, LLC	WC CLAIM #2022-10	1/2024	202401310642	175.19
24-1397	01-I0053	INDEPENDENT MEDICAL EXAMINAWC CLAIM #2009-07		1/2024	202401310643	50.00
24-1364	01-M0299	B3W LLC	WC CLAIMS 2023-09 2023-10	1/2024	202401310645	425.74
DEPARTMENT TOTAL:						685.86
FUND TOTAL:						685.86

FEBRUARY 2024 VISA

<u>DEPT</u>		
<u>501</u>	ATTORNEY	\$ 500.00
511	CITY MANAGER	\$ 3,000.00
512	LIBRARY	\$ 8,000.00
513	PARKS & RECREATION	\$ 10,000.00
515	GENERAL GOVERNMENT	\$ 3,000.00
518	TOWN CENTER	\$ 1,000.00
521	FINANCE	\$ 500.00
531	COMM. DEV.	\$ 2,000.00
541	POLICE	\$ 10,000.00
551	FIRE	\$ 10,000.00
TOTAL		\$ 48,000.00

The City Manager has the authority to approve all claim's up to \$50,000 per Ordinance #1153.



Agenda Item No: F.4

Mustang City Council Agenda Item Report

Meeting Date: February 6, 2024

Submitted by: Julie Slupe

Submitting Department: Library

Item Type: Approval

Agenda Section: CONSENT AGENDA

Subject Title:

Approval to Turn Past Due Library Accounts over to Collection Agency.

Recommendation:

Approve.

Initiator:

Julie Slupe

Background:

Past Due Accounts for January 2024.

Financial Impact:

\$633.30

Staff Comments:

Attachments:

[January 2024 Collections City Council Copy.pdf](#)

NAME/RESPONSIBLE PARTY	CITY, STATE, ZIP	BOOK BALANCE
PAIGE DAWN BURDINE	MUSTANG, OK. 73064	\$106.64
PENNY RENEE LOVE	MUSTANG, OK. 73064	\$66.94
CHANCEN LEE MONTGOMERY	MUSTANG, OK. 73064	\$54.42
KATLIN WAYNE MICHELLE CALDWELL	MUSTANG, OK. 73064	\$183.67
KATLIN WAYNE MICHELLE CALDWELL	MUSTANG, OK. 73064	\$68.92
JESSICA GENEVIEVE COOK	YUKON, OK. 73099	\$74.83
CLARA FAITH REPPOND	YUKON, OK. 73099	\$77.88
	TOTAL FOR INDIVIDUALS	\$380.71
	TOTAL FOR FAMILY GROUP	\$252.59
	OVERALL TOTAL	\$633.30



Agenda Item No: F.5

Mustang City Council Agenda Item Report

Meeting Date: February 6, 2024

Submitted by: Janet Watts

Submitting Department: Finance

Item Type: Resolution

Agenda Section: CONSENT AGENDA

Subject Title:

Approval of Resolution No. 24-024 making Changes in the Library Fund Budget by Making a Supplemental Appropriation to Increase the 2023-2024 Fiscal Year Budget by \$14,580.

Recommendation:

Approve.

Initiator:

Janet Watts, Finance Director

Background:

The Library Department has been awarded \$14,580 from Oklahoma Department of Libraries for books, programs, supplies & technology.

Financial Impact:

\$14,580

Staff Comments:

Attachments:

[Resolution No. 24-024 - Supplemental Appropriation - Library Fund.pdf](#)

RESOLUTION NO. 24-024

A RESOLUTION TO MAKE CHANGES IN THE LIBRARY FUND BUDGET BY MAKING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 2023-2024 FISCAL YEAR BUDGET BY \$14,580.

WHEREAS, The Library Department has been awarded \$14,580 from Oklahoma Department of Libraries for books, programs, supplies & technology;

WHEREAS, the Council desires to appropriate funds;

NOW THEREFORE, BE IT RESOLVED, by the Council that the following supplemental appropriation be made:

SUPPLEMENTAL APPROPRIATION

Revenues:	
State Aid Grants (07-45111)	\$ 14,580
Expenditures:	
State Aid Grants (07-507-5611)	<u>\$ 14,580</u>
Total	<u>\$ 14,580</u>

This is to certify that the above and foregoing Resolution was dully **ADOPTED** and **APPROVED** by the Mayor and City Council this **6th** day of **February 2024**.

Mayor

ATTEST:

City Clerk



Mustang City Council Agenda Item Report

Meeting Date: February 6, 2024

Submitted by: Ryan Connor

Submitting Department: Community Development

Item Type: Ordinance

Agenda Section: DISCUSSION ITEMS

Subject Title:

Public Hearing and Consideration of Ordinance No. 1296, an Ordinance of The City of Mustang, Oklahoma, Amending the Zoning Ordinance of The City of Mustang, Oklahoma, as Amended, to Change Certain Property Located in Canadian County, Oklahoma, from C-5, Commercial Intensive District to a Planned Unit Development with R-2, Two-Family District, Declaring Repealer, and Providing for Severability.

Recommendation:

Approve or Deny Ordinance

Initiator:

Ryan Conner, City Planner

Background:

Planning Commission met at the regular January 16th meeting and unanimously recommended approval of the rezoning from C-5, Commercial Intensive District to a R-2 PUD titled "Wild Horse Villas" with the following additions/changes:

1. The playground equipment shall include a pre-fabricated plastic playground set commonly used in residential parks.
2. Tract 2 shall have a 25 ft Front Yard Setback
3. Tract 1 shall have a Maximum Lot Coverage of 50%
4. Tract 2 shall have a Maximum Lot Coverage of 60%
5. The word "Map" shall be added to the exhibit labeled Master Development Plan Map
6. The language stating the Master Development Plan Map is conceptual in nature shall be deleted.

The applicant has added/updated items 1-5 to the PUD Design Statement as well as deleted the verbiage depicted by item 6. The PUD Design Statement reflecting those changes is dated January 17th, 2024 and is attached to this report.

Project Description: The applicant, Grubbs Consulting LLC, on behalf of the owner has submitted an application to rezone property that is currently zoned C-5, Commercial Intensive to a Planned Unit Development (PUD) with R-2, Two Family District zoning for duplexes. The property is located South of the Atwoods area along S. Old Sara Rd and E Jackrabbit Ln. There are some commercial flex units in between the Atwoods and the

subject property. The original intention of the subject property was zoned C-5, Commercial for mini-storage units, but the plan never materialized. The C-5 Zoning remains for the property however.

The PUD titled "Wild Horse Villas" would feature 28 duplexes (56 units) on two tracts within the development. The North Tract (Tract 1), which is currently platted as Wild Horse Canyon Commercial 2nd Plat, would have to be vacated prior to any future platting. Tract 1 will feature a road (E Roadrunner Ct. Ln) with a cul-de-sac bisecting it with twenty (20) duplex lots fronting along it. The South Tract (Tract 2), would actually be on the South side of E Jackrabbit Ln. E. Jackrabbit Ln is currently being constructed as a second means of egress into and out of the Wild Horse Canyon single-family subdivision, which is finishing the 3rd phase. There would be eight (8) duplex lots on Tract 2 on the South side of E. Jackrabbit Ln before the plat transitions into Wild Horse Canyon Section 1.

The applicant provided the PUD Design Statement and PUD Master Plan with the submission that outlines aspects their request. The applicant is requesting the following variances from the standard R-2 Two Family District standards. There are notes in two of the items below that indicate alterations made at the January 16th Planning Commission meeting:

- Requesting lot areas of not less than 3,000 SqFt per unit on Tract 1 and 2,500 SqFt per unit on Tract 2.
 - o R-2 Standards require 4,200 SqFt per unit (Sec 122-323).
- Requesting minimum lot widths of 25 ft for each unit.
 - o R-2 Standards require lot widths of 30 ft for each unit (Sec 122-324).
- Requesting Front Yard Setbacks of 25 ft for Tract 2 only (Tract 1 has standard setbacks).
 - o R-2 Standards require 30 ft Front Yard Setbacks (Sec 122-325 1).
 - o (ALTERATION) This item was changed to 25 ft at the Planning Commission meeting from an original request to have 20 ft Front Yard Setbacks.
- Requesting Side Yard Setbacks on corner lots to be 15 ft.
 - o R-2 requires 25 ft Side Yard Setbacks on corner lots when the lots are not back-to-back.
- Requesting a Maximum Lot Coverage of 50% for Tract 1 and 60% for Tract 2.
 - o R-2 allows for a Maximum Lot Coverage of 30%.
 - o (ALTERATION) This item was changed at the Planning Commission meeting as the original request was for 65% Max Lot Coverage for all tracts.

Other sections of the PUD Design Statement state that sight-proof fencing will be constructed along the perimeter of the North tract and along the South boundary of the South Tract. There is another section that discusses Common Area Amenities. It states that playground equipment and park benches will be provided within the common area shown on the Master Development Plan Map that is on the Southeast corner of Tract 2. The developer also mentions in this section that a sidewalk would be constructed along E Jackrabbit Ln on the North side of the road where it normally would not have been required since the duplex units on those lots would be oriented toward E. Roadrunner Ct. Ln.

Staff had reservations on allowing 20 ft Front Yard Setbacks on Tract 2 as other areas in the City with front setbacks at 20-25ft have caused major parking issues. The developer agreed to change the request to 25 ft but said 30 ft was not attainable because of depth issues with the railroad track behind the lots.

Staff also believes that careful consideration should be given to rezoning requests that ask for existing commercially zoned property to be rezoned to non-commercially zoned districts. The potential loss of future economic and retail-based businesses could have repercussions on the City's ability to maintain infrastructure and services that it provides to the community. As sales tax is the major providing fund to the City's budget, any loss of land for future commercial growth could have lasting impacts.

Character of Neighborhood: This is an area with commercial uses that abut Old Sara Rd, with single-family residential uses behind to the East that comprise the Wild Horse Canyon neighborhood. If approved, duplex units along the frontage of Old Sara Rd would deviate from how this area has been developed.

Zoning and Uses of Property Nearby: The properties to the North are C-5, Commercial Intensive zoned properties with R-1 Single Family Zoning to the East.

Conformance with Long-Range Plan: The long-range plan calls for this area to be Urban Residential. The idea for this area prior to being developed with the Commercial frontage was for the urban village overlay that was discussed in other areas of the City as well.

Utilities and Services: Public utilities and streets would be used in this development.

Financial Impact:

0

Staff Comments:

The proposed two-family structure (duplex) PUD is requesting five variances from the zoning code while offering a sidewalk, a playground, and additional fencing as amenities in return. Staff had reservations on allowing variances to the Front Yard Setback and Maximum Lot Coverages as mentioned previously. The agreed upon reductions to those variances should resolve future potential issues.

There has not been any opposition provided by adjacent property owners on the proposed development. A mix of two-family homes on the South end of Old Sara Rd with the railroad to the South could be a better location away from conflict with other residential uses in the area. At the same time, it should be reminded that any loss of commercially zoned areas could have lasting impacts on the City's sales tax driven budget. This area in particular has seen recent commercial growth with the Atwoods to the North.

The developer has updated the PUD Design Statement and Master Development Plan Map as required by the Planning Commission and attached to this report dated January 17th, 2024.

Staff recommends approval of the rezoning for the Wild Horse Villas PUD dated January 17th, 2024.

Attachments:

[\(1\) Zoning Map.pdf](#)

[\(2\) 1-17-2024 PUD_Wild Horse Villas_for CC.pdf](#)

[\(3\) Ord - Wild Horse Villas C-5 to PUD w R-2.pdf](#)

[\(4\) PC Minutes 1-16-2024 - Item 2.pdf](#)

Proposed - Wild Horse Villas R-2 PUD

Located along Old Sara Rd & E Jackrabbit Ln



PLANNED UNIT DEVELOPMENT

RZ-11-9-23-1-35

DESIGN STATEMENT

FOR

WILD HORSE VILLAS

~~November 8, 2023~~

~~January 9, 2024~~

January 17, 2024

PREPARED FOR:

**Sayo LLC
P. O. Box 7201162
Norman, OK 73020**

PREPARED BY:

**Grubbs Consulting LLC
1800 South Sara Road
Yukon, OK 73099
Phone: (405) 265-0641
mark.grubbs@gc-okc.com**

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EXHIBIT B – Master Development Plan & Topographic Map (attached hereto and made a part hereof)	

SECTION 1.0 INTRODUCTION

The Planned Unit Development of Wild Horse Villas consists of 5.15 acres and is proposed for duplex residential development. The property is located in the Southwest Quarter of Section 35, Township 11 North, Range 5 West, of the Indian Meridian in Canadian County, more particularly east of State Hwy 4 and north of SW 89th Street.

SECTION 2.0 LEGAL DESCRIPTION

The legal description of the property is described in Exhibit A, attached and made a part of this Design Statement.

SECTION 3.0 OWNER/DEVELOPER

The owner and developer of this property is Sayo LLC.

SECTION 4.0 SITE AND SURROUNDING AREA

The subject property is zoned I-3 Heavy Industrial and is currently vacant. Surrounding properties are zoned and used for:

North: I-3/Personal Storage Facility

East: R-1/residential

South: I-3/railroad right of way & vacant

West: State Highway 4

SECTION 5.0 PHYSICAL CHARACTERISTICS

The subject property drains from the west to the east across the site, with an elevation of 1380 feet along the west boundary sloping to an elevation of 1375 feet along the east boundary. There is limited tree cover on the property.

SECTION 6.0 CONCEPT

The concept for this PUD is to provide for duplex residential development.

SECTION 7.0 SERVICE AVAILABILITY

7.1 STREETS

The property is bordered by Sara Road along the west and is bisected by East Jackrabbit Lane right of way which connects to the existing local street located in the Wild Horse Canyon single family residential development to the east. State Highway 4 is the primary access for the Wild Horse Canyon commercial and residential development.

7.2 SANITARY SEWER

Sanitary sewer will be provided from the existing public sanitary sewer located along the east boundary and will be extended throughout the development.

7.3 WATER

Public water will be provided for the development from the adjacent existing water main along Jackrabbit Lane to the east and will be extended throughout the development.

7.4 GAS SERVICE, ELECTRICAL SERVICE, AND TELEPHONE SERVICE

Proper coordination with the various utility companies will be made in conjunction with this development. All gas, electric and telecommunication services will be privately owned and maintained by the various utility companies.

7.5 DRAINAGE

No portion of the property is located within the FEMA 100-year floodplain and therefore flood levels are not applicable to this property. Development of the property shall comply with Chapter 50 of the Municipal Code.

SECTION 8.0 SPECIAL USE AND 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. Development is when a permit is issued for any construction or addition to any structure on a development tract. For purposes of interpretation of these Special Development Regulations, the operative and controlling language and regulations of stated zoning districts shall be the language and regulations applicable to the referenced zoning districts as contained in the City of Mustang's Municipal 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 Mustang Municipal Code, as amended ("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 REGULATIONS

The PUD consists of two tracts, Tracts 1 and 2. Both tracts will be developed in accordance with the use regulations of the R-2 Two Family District, except as otherwise noted herein.

8.2 DEVELOPMENT REGULATIONS

The development regulations of the R-2 Two Family District shall apply to both tracts except as otherwise noted below.

- 1) For each two-family dwelling in Tract 1 there shall be a lot area of not less than 3000 square feet per unit. For each two-family dwelling in Tract 2 there shall be a lot area of not less than 2500 square feet per unit.
- 2) For two-family dwellings in both tracts there shall be a minimum lot width of 25 feet for each dwelling unit and the lot shall abut on a street for a distance of not less than 20 feet for each dwelling unit.
- 3) In Tract 1 the minimum depth of the front yard shall be 30 feet except lots abutting a cul-de-sac shall be permitted a minimum depth of 25 feet.
- 4) In Tract 2 the minimum depth of the front yard shall be twenty five feet.
- 5) For primary buildings, the minimum depth of the rear yard shall be twenty feet.
- 6) For unattached sides of dwellings located on an interior lot, a side yard of not less than five feet shall be provided.
- 7) For dwellings located on corner lots, there shall be a side yard setback from the intersecting street of not less than fifteen feet.
- 8) In Tract 1 main and accessory buildings shall not cover more than 50 percent of the lot area on interior and corner lots.
- 9) In Tract 2 main and accessory buildings shall not cover more than 60 percent of the lot area on interior and corner lots.

8.3 ARCHITECTURAL REGULATIONS

- 1) Building façade shall comply with ordinance requirements.

8.4 LANDSCAPE AND SCREENING REGULATIONS

- 1) Landscaping shall comply with Article IX of Chapter 122 of the Municipal Code.
- 2) In the north tract, a sight proof fence, six feet in height, shall be provided along the perimeter of the tract, with masonry columns constructed a maximum of 60 feet apart within the fence along the west and south tract boundary.
- 3) In the south tract, a sight proof fence, six feet in height, shall be provided along the south boundary of the tract.

8.5 DRAINAGE REGULATIONS

- 1) Drainage improvements, if required, will be in accordance with applicable sections of the Mustang Code of Ordinances.

8.6 ACCESS AND PARKING REGULATIONS

- 1) Access shall be provided from Old Sara Road and East Jackrabbit Lane.

8.7 SIGN REGULATIONS

- 1) Free-standing signs shall conform to current ordinance requirements.

8.8 COMMON AREA AMENITIES

- 1) Playground equipment and park benches will be provided within the common area shown on the Master Development Plan map. The playground equipment shall include a pre-fabricated plastic playground set commonly used in residential subdivision parks.
- 2) A sidewalk shall be provided along the north side of East Jack Rabbit Lane in order to provide pedestrian access to the common area amenities.

8.9 PLATTING

- 1) The underlying plat of Wild Horse Canyon Commercial shall be vacated prior to the acceptance and recording of a final plat on the subject PUD property.

SECTION 9.0 EXHIBITS

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

EXHIBIT A: LEGAL DESCRIPTION OF SUBJECT PROPERTY

EXHIBIT B: MASTER DEVELOPMENT PLAN & TOPOGRAPHIC MAP

Exhibit "A"

LEGAL DESCRIPTION

Wild Horse Canyon Duplexes
Mustang, OK

October 9, 2023

Tract 1

All of Lot 1, Block 2, WILD HORSE CANYON COMMERCIAL, 2ND PLAT, an addition to the City of Mustang, according to the plat recorded at Book 9 Plats, Page 936, filed in the offices of the County Clerk of Canadian County, Oklahoma, more particularly described as follows:

A tract of land in part of the Southwest Quarter of Section 35, Township 11 North, Range 5 West, Indian Meridian, Canadian County, Oklahoma, more particularly described as follows:

COMMENCING at the Southwest Corner of said Southwest Quarter;

THENCE North 00°27'13" West, along the West line of said Southwest Quarter, a distance of 1145.89 feet;

THENCE South 88°44'55" East, a distance of 49.23 feet;

THENCE North 00°27'13" West, a distance of 144.61 feet to the **POINT OF BEGINNING**;

THENCE continuing North 00°27'13" West, a distance of 290.68 feet;

THENCE Northwesterly along a curve to the right with a chord bearing of North 00°13'02" West, a chord distance of 10.42, a radius of 1263.12 feet, and an arc length of 10.42 feet;

THENCE North 89°52'58" East, a distance of 586.88 feet;

THENCE South 00°07'02" East, a distance of 301.10 feet,

THENCE South 89°52'58" West, a distance of 585.16 feet to the **POINT OF BEGINNING**, containing 4.051 acres, more or less.

AND

Tract 2

A tract of land in part of the Southwest Quarter of Section 35, Township 11 North, Range 5 West, Indian Meridian, Canadian County, Oklahoma, more particularly described as follows:

COMMENCING at the Southwest Corner of said Southwest Quarter;

THENCE North 00°27'13" West, along the West line of said Southwest Quarter, a distance of 1,145.89 feet;

THENCE South 88°44'55" East, a distance of 49.23 feet to the **POINT OF BEGINNING**;

THENCE North 00°27'13" West, parallel with said West line, a distance of 94.61 feet;

THENCE North 89°52'58" East, a distance of 479.28 feet to the Northwest corner of Common Area B, WILD HORSE CANYON, SECTION 1, an addition to the City of Mustang, according to the plat recorded at Book 9 Plats, Page 812, filed in the offices of the County Clerk of Canadian County, Oklahoma;

THENCE South 00°07'02" East, along the West line of said WILD HORSE CANYON, SECTION 1, a distance of 106.05 feet to the Southwest corner of said Common Area B;

THENCE North 88°44'53" West, a distance of 478.86 feet to the **POINT OF BEGINNING**.

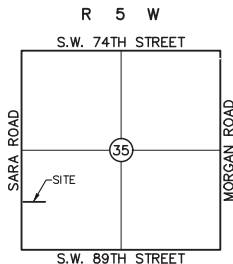
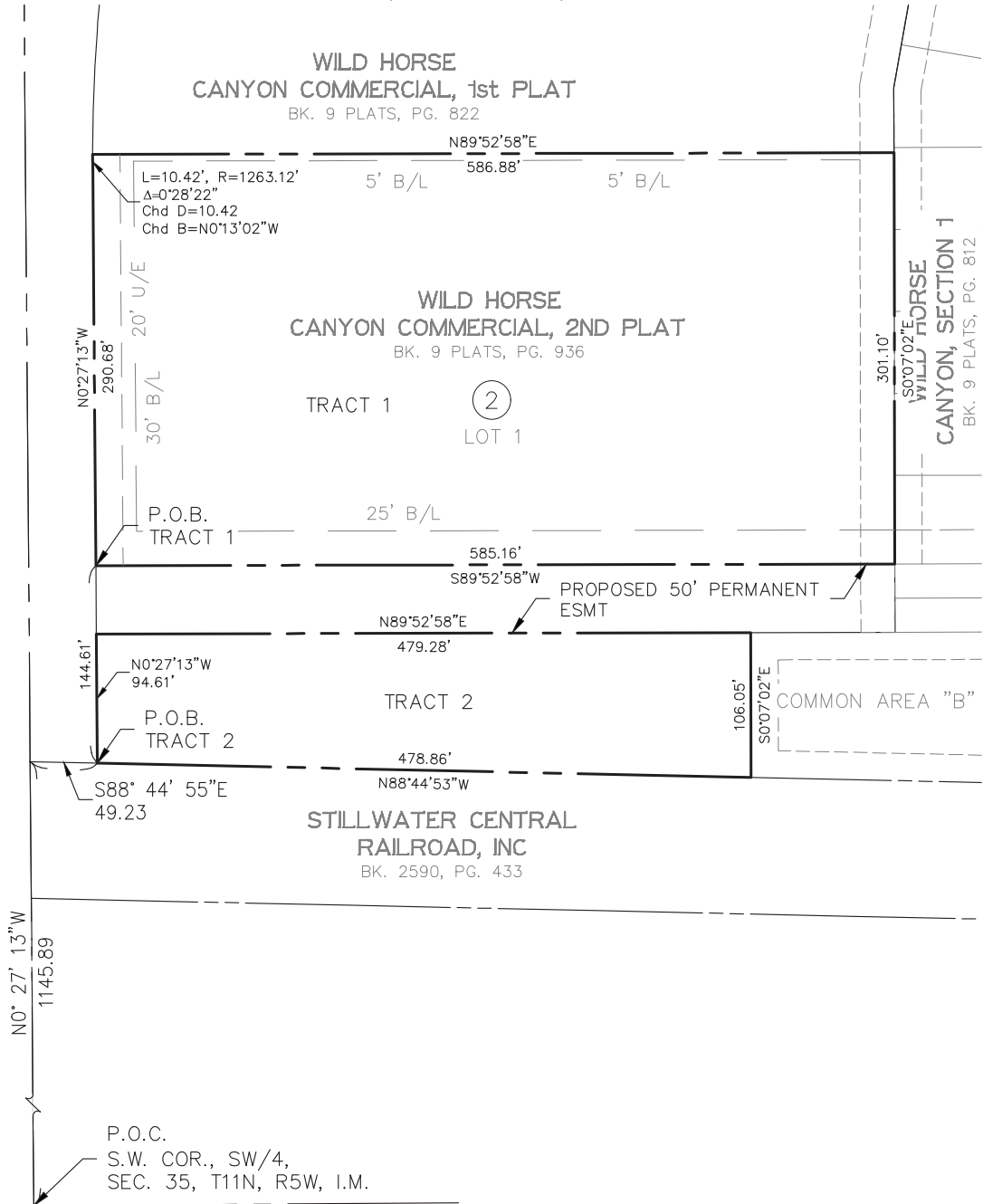
Prepared by Durham Surveying, Inc.
Jon Glazier, PLS No. 1720

Said tract of land containing 48,056 square feet or 1.1032 acres, more or less.

The basis of bearing for the above-described tracts of land is the recorded plat of said WILD HORSE CANYON, SECTION 1.

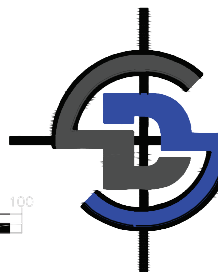
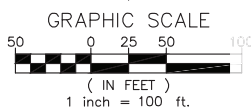
WILD HORSE CANYON DUPLEXES BOUNDARY EXHIBIT

PART OF THE SW/4, SECTION 35, T11N, R5W, I.M.
MUSTANG, CANADIAN CO., OKLAHOMA



Location Map
SCALE: 1"=400'

10/9/2023



DURHAM SURVEYING, INC.

1800 SOUTH SARA ROAD, YUKON, OK 73099

Phone (405) 265-3404 Fax (405) 265-0649

CERTIFICATE OF AUTHORIZATION NO. 5313

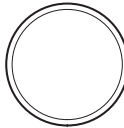
EXPIRATION DATE: JUNE 30, 2024

EXH-B

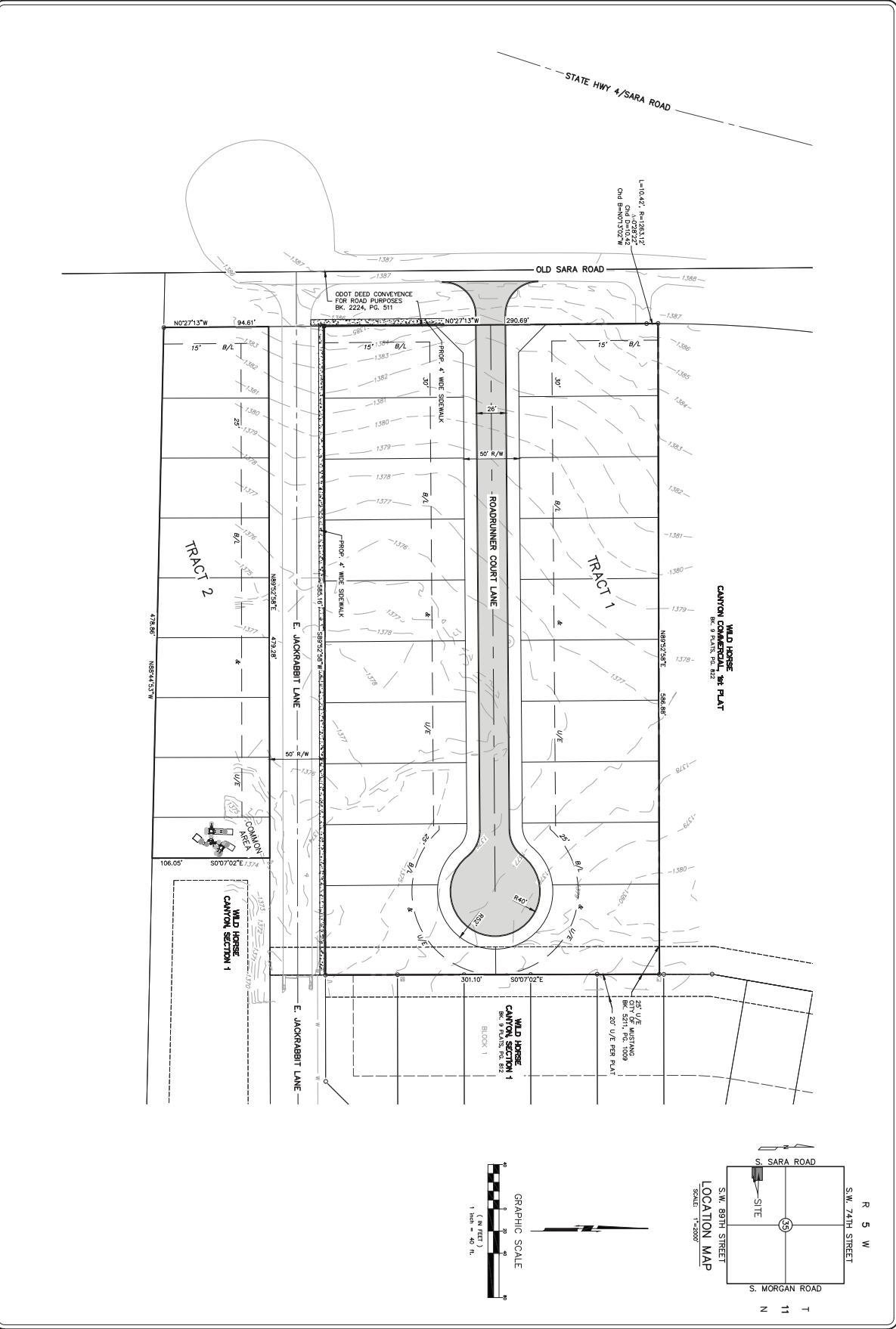
Proj. No.: 21-058
Date: 1/18/2024
Scale: (Horizontal) 1"=40'
(Vertical) N/A
Drawn By: KLT
Checked By: MCO
Approved By: MCO

REVISIONS		
NO.	DESCRIPTION	DATE

WILD HORSE VILLAS
SW 89TH STREET & SARA ROAD
MUSTANG, OKLAHOMA
MASTER DEVELOPMENT
PLAN MAP



RUBBS CONSULTING, LLC
CIVIL ENGINEERING & LAND PLANNING
1800 S. Sara Road
Yukon, OK 73099
Phone: (405) 285-0641
Fax: (405) 285-0645
RUBBS CONSULTING, LLC. CERTIFICATE OF AUTHORIZATION NO. CA 5115 EXP. 06/2024



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA AMENDING THE ZONING ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, AS AMENDED, TO CHANGE CERTAIN PROPERTY LOCATED IN CANADIAN COUNTY, OKLAHOMA, FROM C-5, COMMERCIAL INTENSIVE DISTRICT TO A PLANNED UNIT DEVELOPMENT WITH R-2, TWO FAMILY DISTRICT; DECLARING REPEALER, AND PROVIDING FOR SEVERABILITY. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSTANG, OKLAHOMA:

Section 1. That the Zoning Ordinance of the City of Mustang, Oklahoma, as amended, is hereby amended to change the Official Zoning Map, to include therein the following described property in the City of Mustang, Canadian County, State of Oklahoma from C-5, Commercial intensive District to a Planned Unit Development with R-2, Two Family District.

LEGAL DESCRIPTION OF COMPLETE PROPERTY FOR REZONING:

Tract 1

All of Lot 1, Block 2, WILD HORSE CANYON COMMERCIAL, 2ND PLAT, an addition to the City of Mustang, according to the plat recorded at Book 9 Plats, Page 936, filed in the offices of the County Clerk of Canadian County, Oklahoma, more particularly described as follows:

A tract of land in part of the Southwest Quarter of Section 35, Township 11 North, Range 5 West, Indian Meridian, Canadian County, Oklahoma, more particularly described as follows: COMMENCING at the Southwest Corner of said Southwest Quarter; THENCE North 00°27'13" West, along the West line of said Southwest Quarter, a distance of 1145.89 feet; THENCE South 88°44'55" East, a distance of 49.23 feet; THENCE North 00°27'13" West, a distance of 144.61 feet to the POINT OF BEGINNING; THENCE continuing North 00°27'13" West, a distance of 290.68 feet; THENCE Northwesterly along a curve to the right with a chord bearing of North 00°13'02" West, a chord distance of 10.42, a radius of 1263.12 feet, and an arc length of 10.42 feet; THENCE North 89°52'58" East, a distance of 586.88 feet; THENCE South 00°07'02" East, a distance of 301.10 feet, THENCE South 89°52'58" West, a distance of 585.16 feet to the POINT OF BEGINNING, containing 4.051 acres, more or less.

AND

Tract 2

A tract of land in part of the Southwest Quarter of Section 35, Township 11 North, Range 5 West, Indian Meridian, Canadian County, Oklahoma, more particularly described as follows: COMMENCING at the Southwest Corner of said Southwest Quarter; THENCE North 00°27'13" West, along the West line of said Southwest Quarter, a distance of 1,145.89 feet; THENCE South 88°44'55" East, a distance of 49.23 feet to the POINT OF

BEGINNING; THENCE North 00°27'13" West, parallel with said West line, a distance of 94.61 feet; THENCE North 89°52'58" East, a distance of 479.28 feet to the Northwest corner of Common Area B, WILD HORSE CANYON, SECTION 1, an addition to the City of Mustang, according to the plat recorded at Book 9 Plats, Page 812, filed in the offices of the County Clerk of Canadian County, Oklahoma; THENCE South 00°07'02" East, along the West line of said WILD HORSE CANYON, SECTION 1, a distance of 106.05 feet to the Southwest corner of said Common Area B; THENCE North 88°44'53" West, a distance of 478.86 feet to the POINT OF BEGINNING. Said tract of land containing 48,056 square feet or 1.1032 acres, more or less. The basis of bearing for the above-described tracts of land is the recorded plat of said WILD HORSE CANYON, SECTION 1.

Section 2. REPEALER

All former ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 3. SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND APPROVED this ____ day of _____, 2024.

Mayor

ATTEST:

City Clerk

APPROVED as to form this ____ day of _____, 2024.

City Attorney

PLANNING COMMISSION MINUTES JANUARY 16, 2024

The Mustang Planning Commission met in a regular session on Tuesday, January 16th, 2024 at 7:00 p.m. at the Mustang Municipal Building, City Council Chambers at 1501 N. Mustang Road.

2. Rezoning – RZ-11-9-23-1-35

Applicant:	Grubbs Consulting LLC
Owner:	Sayo, LLC
Location:	S Old Sara Rd & E Jackrabbit Ln
Current Zoning:	C-5, Commercial Intensive District
Requested Zoning:	PUD, R-2 – Two Family District
Tract Info:	4.1 acres MOL

Mr. Conner addressed the Commission with the staff report. He explained the idea of the Wild Horse Villas PUD and its location, being along old Sara Rd to the South of the new Atwoods and to the West of the Wild Horse Canyon single family development with multiple phases. **Mr. Conner** said the PUD would allow for duplex units and a small park on the SE side of the development. E Jackrabbit Ln is currently under construction as part of a requirement for egress when the developer had the third phase of Wild Horse Canyon approved. E Jackrabbit Ln will dissect this proposed Wild Horse Villas into two tracts. Tract 1 has access off Old Sara Rd and will have a new road, E Roadrunner Ln, and will terminate with a cul-de-sac giving it approximately 21 lots. Tract 2 will have frontage of E Jackrabbit Ln and have 7 additional lots. **Mr. Conner** said the zoning of the property currently is C-5, Commercial Intensive District.

Mr. Conner next explained the variances that the developer was requesting:

- Requesting lot areas of not less than 3,000 SqFt per unit on Tract 1 and 2,500 SqFt per unit on Tract 2.
 - R-2 Standards require 4,200 SqFt per unit (Sec 122-323).
- Requesting minimum lot widths of 25 ft for each unit.
 - R-2 Standards require lot widths of 30 ft for each unit (Sec 122-324).
- Requesting Front Yard Setbacks of 20 ft for Tract 2 only (Tract 1 has standard setbacks).
 - R-2 Standards require 30 ft Front Yard Setbacks (Sec 122-325 1).
- Requesting Side Yard Setbacks on corner lots to be 15 ft.
 - R-2 requires 25 ft Side Yard Setbacks on corner lots when the lots are not back-to-back.
- Requesting a Maximum Lot Coverage of 65% for all lots.
 - R-2 allows for a Maximum Lot Coverage of 30%.

Mr. Conner said the developer was proposing for a playground as an amenity on the Southeast side of the development by Tract 2. He mentioned that the playground's equipment wasn't specifically mentioned and that Planning Commission might want to see some of the pieces of equipment specified. The next amenity proposed by the

developer was a sidewalk being constructed along the North side of E. Jackrabbit Ln, as it technically would not be required as the duplexes on those lots would be oriented toward E Roadrunner Ln instead. This amenity would ensure sidewalk on both sides of E Jackrabbit. Ln.

Mr. Conner added additional comments on the future land use of this property being Urban Village, which has been deviated from recently with the Atwoods and other commercial flex spaces being added along Old Sara Rd. He then mentioned that staff is concerned with the Front Yard Setback variance to 20 ft on Tract 2. He said that other developments that have reduced their Front Yard Setback have had known parking congestion issues because there isn't enough space in the garages and driveways for all of the vehicles that residents have. Another concern that staff has is the high lot coverage that is being asked for as a variance.

Mr. Conner's next staff comment had to do with conversations that have generally revolved around the idea that taking away currently zoned commercial property and turning it into residential or other type uses could eventually lead to a point where the City is running out of commercially viable areas. He continued saying that the City will need to think about protecting areas where sales tax producing revenue could be generated. He mentioned the Atwoods just to the North of this area. **Mr. Conner** finished with a couple minor comments on labeling for the Master Development Plan Map and how the Planning Commission may want to see more specific language for the playground equipment that is being proposed.

Commissioner Jesse Bratton asked about the size of the Tract 2 lots and how they would compare to the lot sizes in the Wild Horse Canyon area that is existing.

Mr. Conner said the lots in the single-family zoned area of Wild Horse Canyon are generally close to the 7,200 SqFt minimum size, so the duplexes would be on smaller lots. He also mentioned Tract 2 has the smaller lots because of the railroad tracks to the South of this area and the placement of E. Jackrabbit Ln. He said it squeezes this particular piece of property some in terms of how deep the lots could really get.

Commissioner John Gassen asked about the sidewalk placement on the back of Tract 1 and if there would be sidewalks on both sides of the road.

Mr. Conner said it wasn't identified on the map but a sidewalk would be constructed in front of any of the dwellings, so with the developer's added amenity of placing additional sidewalk on the North side of Jackrabbit Ln, it would ensure sidewalk on both sides of the road.

Mark Grubbs, Grubbs Consulting LLC, on behalf of the applicant spoke next to the Commission. He confirmed that there would be sidewalks on both sides of Jackrabbit Ln as an amenity for the proposal. He also added that the playground will be added and would consist of pre-fabricated plastic playground sets and that it wouldn't just be a couple of benches and a swing set. He said this playground set would be an amenity to the rest of the Wild Horse Canyon subdivision and that he originally thought it could be on the Northside of the first phase of Wild Horse Canyon Section 1 but that Staff believed it best to place the amenity within the boundary of the PUD that is being requested. He said that by placing the playground inside the boundaries of this PUD, it forced them to remove a lot and if Planning Commission thought the playground could best be served on inside the other neighborhood, they could reconfigure this design.

Mr. Grubbs said this proposal has changed from the original submission after conversations with staff. They changed the design to make the two tracts as Tract 1 could have slightly larger areas and could accommodate the standard setbacks while Tract 2

with Jackrabbit Ln made the lots a little more difficult to work with. He continued saying that he was just provided with the floorplan that the developers are planning to use for the duplex units and that he could amend the variances that they are requesting. He said that they could go to a 25 ft Front Yard Setback on Tract 2 instead of the 20 ft that they were asking for. They could also reduce the maximum lot coverages to 50% in Tract 1 and 60% in Tract 2. **Mr. Grubbs** said another amenity that wasn't mentioned earlier is that the development will be providing sight proof fencing. The fencing will have brick columns to make it look nicer as well.

Mr. Grubbs next spoke about the comment staff had on sales tax and commercial properties. He said as a former Councilman, he understood the topic very well and said that this property was originally zoned commercial for the intention of building mini-storage units, which wouldn't produce any sales tax. He said that rooftops with people would add more to sales tax revenue in the city than mini-storage units would. **Mr. Grubbs** further spoke to how the current commercial property to the North does not make this tract a very viable commercial location because of the transition from Atwoods stepping down to flex units and offices before reaching this property. He believes this duplex development would be a better transition into the residential neighborhood as well.

Chairman McDaniel asked if the new Jackrabbit Ln was going to connect to Old Sara Rd.

Mr. Grubbs answered by saying yes, this Jackrabbit Ln was required as another egress point for the 3rd phase of the Wildhorse Canyon neighborhood. He then showed the Planning Commission an elevation shot and floorplan of the duplex units that they are planning to construct.

Commissioner Jerry Brown asked about the corner side yard setbacks.

Mr. Grubbs answered saying there was an underlying plat on this area but that the 15 ft side yard setback would allow for them to have a couple extra lots. He said Tract 2 is such an odd shaped tract because of the railroad that this use would be the best for the land.

Mr. Brown asked if the Fire Department had reviewed the plans.

Mr. Conner answered saying that yes, the Fire Department reviewed the plans and didn't have anything comments that would disallow the project.

Commissioner Bratton made a Motion to close the Public Hearing at 7:40pm.

Commissioner Brown seconded the Motion. The Motion was approved unanimously.

Commissioner Jay Adams noted that quite a few changes were made during the discussion. He said he liked the change to the front yard setback in Tract 2 and the lot coverage that the applicant agreed to.

Commissioner Brown and **Commissioner Adams** next worked out each of the items that would need to be included as changes in a Motion.

Commissioner Brown said that he was okay with the project moving forward with the change to the Front Yard Setback on Tract 2.

City Attorney Jonathan Miller added what he saw as the items to be mentioned in a motion. He said that the playground equipment specifications, the Front Yard Setback increase to 25 ft on Tract 2, and the decrease of maximum lot coverages in Tract 1 to 50% and Tract 2 to 60% should be added. He also mentioned the language about adding the word "map" to Master Development Plan Map and taking away the conceptual language

should be noted.

Commissioner Brown made a Motion to recommend approval of the Wild Horse Villas PUD as presented and with the following changes:

- The playground equipment shall include a pre-fabricated plastic playground set commonly used in residential parks.
- Tract 2 shall have a 25 ft Front Yard Setback
- Tract 1 shall have a Maximum Lot Coverage of 50%
- Tract 2 shall have a Maximum Lot Coverage of 60%
- The word “Map” shall be added to the exhibit label Master Development Plan Map
- The language stating the Master Development Plan Map is conceptual in nature shall be deleted.

Commissioner O’Daniel seconded the Motion. The motion was approved unanimously.

Chairman McDaniel stated this item will next be heard at the February 6th City Council meeting.



Mustang City Council Agenda Item Report

Meeting Date: February 6, 2024

Submitted by: Ryan Connor

Submitting Department: Community Development

Item Type: Approval

Agenda Section: DISCUSSION ITEMS

Subject Title:

Public Hearing and Consideration of Specific Use Permit Application SUP-12-11-23-1-30, SW Corner of N Clear Springs Rd & W Rendezvous Way – 7 acres MOL , DHD Corporation, C-3 Commercial General District, Requesting a Specific Use Permit for Mini Storage and RV Storage Units.

Recommendation:

Approve or Deny Specific Use Permit

Initiator:

Ryan Conner, City Planner

Background:

Planning Commission met at the January 16th regular meeting and unanimously recommended approval of this Specific Use Permit with the following conditions:

1. Lighting on the site shall be directed internally and shall not consist of pole lights.
2. The exterior construction of buildings shall comply with current city ordinances.
3. Sight proof masonry fencing shall be constructed on the exterior boundaries of the property in accordance with current city ordinances.
4. All buildings on site shall be constructed to no more than one-story in height.
5. Mini-storage units on the West side shall be accessed from the internal side of the site only.
6. Signage for the development shall consist of monument style signage only.
7. The development shall be consistent with the submitted site plan.

Project Description: The applicant has submitted a request for a Specific Use Permit for Mini-Storage Units and RV Storage to be allowed on an approximately 7.046 acre tract of land that is designated as C-3, General Commercial zoned property. Mini-Storage uses are allowed within the C-3 Zoning District only as a Specific Use Permit. The subject property is located on the West side of N. Clear Springs Rd with W. Rendezvous Way bordering the North boundary and W Lodge Way bordering the South boundary. There is approximately 2.70 acres left out of the Specific Use Permit request that is located in the Southeast corner of the approximately 10.5 acre tract that is part of the DHD Corporation owned property. That 2.70 acre portion of the property would be left as C-3 zoned property as it is now and could be developed with any use as permitted in C-3.

This property has had previously development requests beginning in November 2021 when it was requesting a R-4 Multi-Family Planned Unit Development but was later denied. In May of 2023 the property was requesting a straight rezoning request from C-3 to C-5 zoning, which was also denied by the City Council. This request represents the third attempt for the property to develop. The prior sentiments from the Planning Commission and City Council meetings and neighbors in the general vicinity wished the property to remain retail commercial in nature and to harmonize with the surrounding residential area.

The Specific Use Permit (SUP) process requires a public hearing in front of both the Planning Commission and City Council prior to approval and can have special conditions placed on the permit if the subject use were to be found appropriate for the area. Specific Use Permits can also be reviewed annually if there are found to be issues with surrounding uses or on stipulations placed on the permit. Section 122-58 (b) of the Municipal Code states:

...The planning commission may impose conditions including, but not limited to, bonding, insurance, permitted uses, lot sizes, setbacks, height limits, required facilities, buffers, open space areas, lighting, noise levels, signage, landscaping, parking and loading, compatibility, and land use intensity/density as may be indicated depending upon the proposed use and its potential effect on adjacent areas or the community.

The applicant has provided a site plan and a narrative for the proposed Specific Use Permit that shows the design and number of buildings being proposed. The site plan would adhere to commercial zoning setbacks and land area minimum standards, thus not requiring any variances from the zoning code. There appears to be early designs for on-site drainage and adequate lane widths between buildings for fire safety. The applicant describes in the narrative that the use generates minimal traffic and noise and will not produce the consistent ingress/egress of customers which is produced by other commercial uses within the C-3 zoning district.

At the Planning Commission meeting the Commission and applicant agreed on stipulations that could be written into the Specific Use Permit. Those stipulations were:

1. Lighting on the site shall be directed internally and shall not consist of pole lights.
2. The exterior construction of buildings shall comply with current city ordinances.
3. Sight proof masonry fencing shall be constructed on the exterior boundaries of the property in accordance with current city ordinances.
4. All buildings on site shall be constructed to no more than one-story in height.
5. Mini-storage units on the West side shall be accessed from the internal side of the site only.
6. Signage for the development shall consist of monument style signage only.
7. The development shall be consistent with the submitted site plan.

If the City Council were to find the use of the property appropriate, it could still add additional requirements that could help mitigate any issues this proposed use could cause to the surrounding residential area.

Character of Neighborhood: The subject property has frontage along the section line road with commercial property to the South. There are residential neighborhoods behind and across Clear Springs Rd from this property.

Zoning and Uses of Property Nearby: The surrounding properties are R-1, Single Family Zoning to the West and East across Clear Springs Rd. The property to the South is C-2 Commercial with a Church. The property to the North is located within the A-1 Agricultural District with a single-family home.

Conformance with Long-Range Plan: The long-range plan calls for this area to be Retail Neighborhood. The definition of Retail Neighborhood calls for uses that can harmonize in areas close to residential development like small shopping centers, restaurants, and other retail. Mini-Storage Units would generally be related to such uses in staff's opinion.

Utilities and Services: Utilities would be provided for the use.

Financial Impact:

0

Staff Comments:

Staff recommends approval of the Specific Use Permit with the stipulations added by the Planning Commission:

1. Lighting on the site shall be directed internally and shall not consist of pole lights.
2. The exterior construction of buildings shall comply with current city ordinances.
3. Sight proof masonry fencing shall be constructed on the exterior boundaries of the property in accordance with current city ordinances.
4. All buildings on site shall be constructed to no more than one-story in height.
5. Mini-storage units on the West side shall be accessed from the internal side of the site only.
6. Signage for the development shall consist of monument style signage only.
7. The development shall be consistent with the submitted site plan.

Attachments:

(1) [DHD SUP Mini Storage Aerial Map.pdf](#)

(2) [App and Statement Letter.pdf](#)

(3) [DHD Mini Storage - Site Plan.pdf](#)

(4) [2-6-2024 - SUP License - DHD - Mini & RV Storage Units.pdf](#)

(5) [PC Minutes 1-16-2024 - Item 3.pdf](#)

Specific Use Permit - Mini Storage



**SPECIFIC USE PERMIT
APPLICATION**

City of Mustang, Oklahoma
1501 N. Mustang Rd.
Mustang, Oklahoma 73064
Phone: (405) 376-9873

Receipt No. _____ Date of Application: 12/11/2023

This application is to be accompanied by a \$200.00 fee and a certified list of property owners within 300 feet of the perimeter of the subject property.

NAME OF APPLICANT: WILLIAMS, BOX, FORSHEE & BULLARD, P.C.

ADDRESS: 522 COLCORD DR CITY OKC ST OK ZIP 73106

TELEPHONE NO. 405 516 6924

ADDRESS OF SUBJECT PROPERTY:

9.68 acre tract located between W. Rendezvous Way and W. Lodge Way, along the west side of Clear Springs Road

PROPERTY OWNER NAME: DHD Corp.

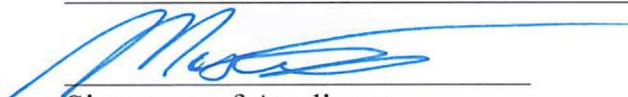
LEGAL DESCRIPTION: PLEASE ATTACH

CURRENT ZONING: C-3

PROPOSED USE: Personal storage

I, the undersigned, do hereby respectfully make application to and appeal to the Planning Commission/City Council for a review of land use to:

See attached Statement in Support of Specific Use Permit



Signature of Applicant



Signature of Owner

STATEMENT IN SUPPORT OF APPLICATION

The subject property is 7.046 acres of vacant land located between W. Rendezvous Way and W. Lodge Way, along the west side of Clear Springs Road ("Property"). The Property is part of the larger 9.68 acre tract ("Larger Parcel"), which is currently zoned C-3, Commercial General District ("C-3"). Owner previously filed an application to rezone the Larger Parcel to residential zoning, which was denied (and remains in litigation). The Current Application for Specific Use Permit provides an alternative development project ("Proposed Development"). The Proposed Development seeks to develop a personal storage operation on the Property. The remaining 2.7 acres of the Larger Parcel (southeast portion) will be reserved for future commercial development.

The zoning and land uses adjacent to the Property are as follows:

- North: zoned A-1, General Agricultural and Oil and Gas District, with an existing single family residence;
- East: zoned R-1, Single-Family District, with existing single family residential subdivision;
- South: zoned C-2, Commercial Neighborhood District, with existing church;
- West: zoned R-1, Single-Family District, with existing single family residential subdivision.

The Proposed Development for personal storage is a use allowed in C-3 zoning with approval of a "Specific Use Permit." See Section 122-472 of Mustang's Zoning Regulations. In addition, the Zoning Regulations provide as follows:

"Each specific use permit application shall be valued as to its probable effect on the adjacent property and community welfare and may be approved or denied as the findings indicate appropriate." See Section 122-57(c) of Zoning Regulations.

"All petitions for a specific use permit shall be accompanied by a site plan of the proposed area showing the location and intended use of the site, of buildings, parking, and other pertinent data concerning the operation of the proposed use." See Section 122-61(a) of Zoning Regulations.

Applicant has included a Site Plan with Current Application for Specific Use Permit, which shows the "location and intended use of the site, of buildings, parking, and other pertinent data concerning the operation of the proposed use."

Furthermore, the Proposed Development will not have a negative effect on the adjacent properties or community welfare. The personal storage use contemplated for the Proposed Development will generate minimal traffic and noise, and will not produce the consistent ingress / egress of customers which is produced by other commercial uses allowed in C-3

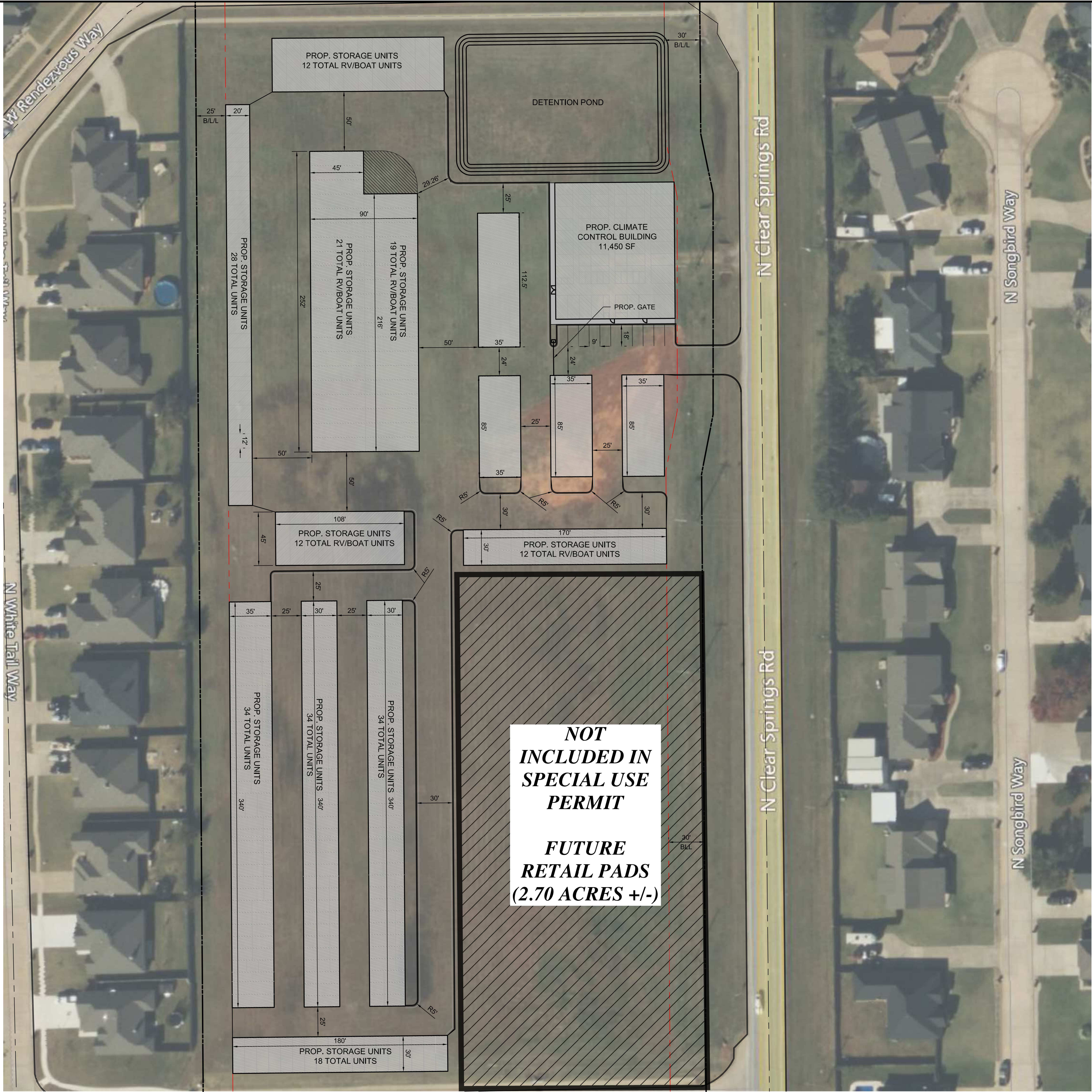
zoning. The Site Plan also provides a 25' building line setback to the residential subdivision on the west. Thus, the Proposed Development provides a compatible buffer between the adjacent residential uses, and the future commercial development of the remaining 2.7 acres on the southeast portion of the Larger Parcel. Likewise, the Proposed Development is consistent and compatible with the land use pattern in the surrounding area, which includes a mixture of residential, commercial, and institutional uses.

Applicant respectfully requests approval of a Specific Use Permit for the Property, in accordance with the Site Plan / materials submitted with this Application.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Schwartz', with a long horizontal flourish extending to the right.

David M. Box, OBA #21943
Mason J. Schwartz, OBA #32864
Cooper T. Hahn, OBA #32788
WILLIAMS, BOX, FORSHEE &
BULLARD, P.C.
522 Colcord Drive
Oklahoma City, Oklahoma 73102
Telephone: (405) 516-6934
mschwartz@wbfbllaw.com
chahn@wbfbllaw.com
Attorneys for Applicants / Owner



MUSTANG STORAGE OPTION 2

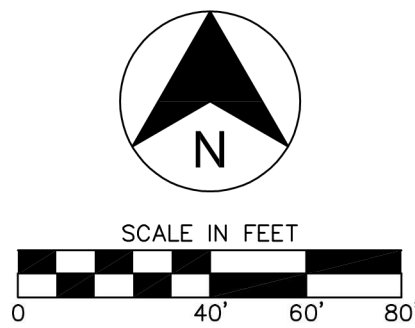
OVERALL SITE CONCEPT MUSTANG, OKLAHOMA

CONCEPT ILLUSTRATION
DRAWING PREPARED SEPTEMBER 12, 2023

LOT INFORMATION: ZONING - C3

- a. *Front yard.* All buildings shall setback from the street right-of-way line to provide a front yard at least 30 feet in depth. Where commercially zoned property frontage is along a designated state highway there shall be a 50-foot setback for all buildings from the right-of-way and/or property line.

b. *Rear yard.* When any commercial building is to be serviced from the rear there shall be provided an alleyway, service court, rear yard or combination thereof, of not less than 30 feet. In all other cases if delivery service and firefighting capabilities can be maintained there shall be a rear yard for a main building of not less than 25 feet. Unattached or accessory buildings may not be located in the rear yard of a main building other than those designated for trash or recycling activities, and shall not
- 1/5



ORIGINAL PAPER SIZE 24X36

THE CITY OF MUSTANG

SPECIFIC USE PERMIT – SUP-12-11-23-1-30

LICENSE HOLDER: DHD CORPORATION

**LOCATION: SW CORNER OF N CLEAR SPRINGS RD &
W RENDEZVOUS WAY**

ZONING: C-3, COMMERCIAL GENERAL DISTRICT

SPECIFIC USE – MINI STORAGE AND RV STORAGE

THIS SPECIFIC USE PERMIT SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF CHAPTER 122-57 THROUGH 122-61, ARTICLE II, DIVISION II (SPECIFIC USE PERMITS) AND ALL OTHER APPLICABLE CITY OF MUSTANG ORDINANCES.

ADDITIONAL TERMS AND CONDITIONS PLACED UPON THIS SPECIFIC USE PERMIT ARE SET FORTH BELOW:

- 1. LIGHTING ON THE SITE SHALL BE DIRECTED INTERNALLY AND SHALL NOT CONSIST OF POLE LIGHTS.**
- 2. THE EXTERIOR CONSTRUCTION OF BUILDINGS SHALL COMPLY WITH CURRENT CITY ORDINANCES.**
- 3. SIGHT PROOF MASONRY FENCING SHALL BE CONSTRUCTED ON THE EXTERIOR BOUNDARIES OF THE PROPERTY IN ACCORDANCE WITH CURRENT CITY ORDINANCES.**
- 4. ALL BUILDINGS ON SITE SHALL BE CONSTRUCTED TO NO MORE THAN ONE-STORY IN HEIGHT.**
- 5. MINI-STORAGE UNITS ON THE WEST SIDE SHALL BE ACCESSED FROM THE INTERNAL SIDE OF THE SITE ONLY.**
- 6. SIGNAGE FOR THE DEVELOPMENT SHALL CONSIST OF MONUMENT STYLE SIGNAGE ONLY.**
- 7. THE DEVELOPMENT SHALL BE CONSISTENT WITH THE SUBMITTED SITE PLAN.**

**KNOW ALL MEN BY THESE PRESENTS THAT:
THE CITY COUNCIL OF THE CITY OF MUSTANG
APPROVED SAID SPECIFIC USE PERMIT ON 02/06/2024
WITH THE CONDITIONS AS STATED ON THIS PERMIT:**

APPLICANT NAME: DHD CORPORATION

DATE ISSUED: 02/06/2024

CITY CLERK

MAYOR

PLANNING COMMISSION MINUTES JANUARY 16, 2024

The Mustang Planning Commission met in a regular session on Tuesday, January 16th, 2024 at 7:00 p.m. at the Mustang Municipal Building, City Council Chambers at 1501 N. Mustang Road.

3. Specific Use Permit – SUP-12-11-23-1-30

Applicant:	Williams, Box, Forshee & Bullard P.C.
Owner:	DHD Corporation
Location:	SW Corner of N. Clear Springs Rd & W Rendezvous Way
Current Zoning:	C-3, Commercial General District
Requested Use:	Mini-Storage Units

Mr. Conner delivered the staff report. He shared with the Commission the location of the property and that the applicant is proposing a Specific Use Permit for mini-storage units. He explained that of the roughly 10 acres of property that the applicant owns, about 7 acres of it will be utilized for mini-storage units while the other 3 acres will be reserved for future C-3 zoned property that could become retail or other commercial uses. **Mr. Conner** said with Specific Use Permits the underlying zoning does not change, but that the specified use could be allowed if approved and be given special conditions and be reviewed periodically to ensure compliance. He said that mini-storage units are only allowed in the C-5 zoning district without a Specific Use Permit.

Mr. Conner next went into detail on the previous zoning applications on this property with a request for R-4 Multiple-Family zoning back in 2021 and a more recent request for C-5 Commercial Intensive Zoning earlier in 2023. Both of those zoning attempts failed. **Mr. Conner** said that the proposal of this Specific Use Permit, the applicant provided a site plan that shows the proposed layout. It contains 14 different buildings with each specifying if it were to be RV/boat storage or personal unit storages. He said that the applicant submitted a letter with the application stating that they will not be asking for any variances for the site, just the ability to have the mini storage units. The applicant also stated how their proposed use will not negatively impact the surrounding neighborhood as there will be little to no traffic and noise associated with this type of development and the units will only be one story in height. He said that staff believes this type of development could co-exist with the surrounding residential uses and with a portion of the property reserved for future commercial. Staff recommended approval.

Commissioner Adams asked if storage units generate any sales tax with the city.

Mr. Conner answered no, they do not generate any sales tax.

Commissioner Gassen asked more about the review process with Specific Use Permits and asked if they were permanent approvals for land uses.

Mr. Conner said that if a Specific Use Permit is approved and stayed within the boundaries of their approval, it could be an indefinite approval. However, it could be subject to review and termination if the use is found to not be in line with the approved parameters.

Mr. Adams said the Specific Use Permit process was created so that uses of this nature could be reviewed

Commissioner Bratton said this is one first Specific Use Permit he could remember that would require significant new construction. He said this would be a risk on the applicant by constructing these buildings and then having to hope they follow all of the stipulations of the Specific Use

Permit or risk termination. He then asked what the renewal process was like for Specific Use Permits.

Mr. Conner answered saying that there isn't an actual renewal request each year for Specific Use Permits, but rather the ability for the Planning Commission and City Council to request a review of the permit if the use is found to not be operating within the terms of the approval.

Chairman McDaniel said that he thinks these storage units would be monitored by neighbors and would most likely be kept in nice conditions since they are risking reviews.

City Attorney Jonathan Miller said there could be an alternate process for this property instead of a Specific Use Permit and that would involve a Planned Unit Development. He said the downside to a Planned Unit Development would be the fact that it would alter the underlying zoning.

Commissioner Brown said that he understands this attempt at a Specific Use Permit was probably easier for the applicant since it would be like asking permission upfront for storage units instead of doing all of the engineering involved in a Planned Unit Development prior to the application process.

Commissioner Gassen asked if the site plan submitted would be the exact site layout for the site.

Mr. Miller said that the Commission should indicate in the motion if they wish the site plan to be approved as proposed. If it was approved like that, it would be a condition required at the time of building permit submission. There was then further conversation about how this development would also be required to meet other code provisions such as the façade ordinance.

Kaitlyn Tuner, with Williams, Box, Forshee & Bullard P.C., on behalf of the applicant spoke next. She stated that there were no additional variations on the request other than the proposed mini-storage and RV/Boat storage units as proposed on the site plan. She stated that the client will abide by any and all other code requirements that commercial buildings are subject to. She said they are aware of any reviews that could arise as a Specific Use Permit. **Ms. Turner** next stated that this use would align with the Comprehensive Plan's Future Land Use designation and has not had any formal protests submitted. She last mentioned that they planned for the 25 ft rear yard setback to give some separation from the neighborhood to the West as well as masonry screening to further add a physical separation. She said their client has built similar projects in Oklahoma and makes sure they are well built and maintained. She stated that they plan to make sure there is not any lights or glare that will project into the residential properties as there will not be any pole lights. She finished by saying this use will harmonize with the surrounding area and will allow for the reserved 3 acres of land to still be utilized for commercial services for the area.

Commissioner Susan Dobbins asked about the signage they had planned for the project.

Ms. Turner said the signage would be in line with the standard sign ordinance but might be just monument signs.

Mr. Conner stated that the sign ordinance could allow for pole signs, so if the Planning Commission would rather see only monument signs, it could add that as a stipulation to the permit.

Mr. Brown asked **Mr. Conner** about the façade ordinance and how the applicant's submitted letter stated something to the effect of a submitted materials list.

Mr. Conner said there hasn't been any submitted materials but since the Specific Use Permit is not asking for any variances, the buildings for the storage units would have to comply with our current building code standards, which would not allow for untreated metal surfaces within 300 ft of a Section Line Road.

Ms. Turner said they agree to abide by any building codes as normally required for commercial buildings.

Chairman McDaniel next asked if anyone else would like to speak on the item.

Doug Eckart - 1935 W Badger Way – Next spoke to the Commission. He stated that he is in favor of the Specific Use Permit request as he believes it to be an appropriate use of the property. He was not in favor of the previous rezoning requests of the property but thinks reserving 3 acres for other commercial uses while utilizing the rest for storage units would be an appropriate use.

Mariana Lambert – 624 N White Tail Way – Spoke to the Commission stating that she is not necessarily for or against the proposal, but said lighting is a concern of hers as a neighbor to the direct West of the property. She also mentioned that the property would be better suited for additional retail instead of the mini storages and that is what the neighborhood had hoped would be developed here. She then just reiterated that overall, she doesn't want to be looking at a nuisance from her backyard patio every day.

Ms. Turner approached the podium for some closing remarks. She stated that all of the units will only be 1 story in height, so the neighbors behind won't be seeing any tall buildings overlooking their backyard privacy. She said this could be looked at as an infill project but one keeping in mind the surrounding uses.

Chairman McDaniel asked about the units on the West side and whether they will be accessed from the back side of the units on the West side or would they be accessed from the East side.

Ms. Turner said the unit doors on each mini storage unit would be facing the interior side. The area behind the units would strictly be for fire safety access.

Commissioner Bratton asked about security systems and where cameras might be aimed.

Ms. Turner said the security cameras would be pointing down and only pointed toward the interior of the property, so no cameras would be invading privacy to the neighbors behind.

Commissioner Bratton made a Motion to close the Public Hearing with **Commissioner Gassen** seconding the Motion. The Motion was approved unanimously.

Chairman McDaniel said that in his opinion, if he was a neighbor to this project, he would rather see a 1 story type development like this instead of larger buildings or what had been proposed in the past. He likes the idea of leaving the roughly 2.7 acre tract for commercial on the SE side of the property as well.

Commissioner Adams believes that the monument only signage be added to the Motion if the body were to recommend approval.

City Attorney Jonathan Miller stated the notes he had made during the discussion from what he had heard from the applicant and Commissioners:

1. Lighting on the site shall be directed internally and shall not consist of pole lights.
2. The exterior construction of buildings shall comply with current Mustang ordinances.
3. Sight proof masonry fencing shall be constructed on the exterior boundaries of the property.
4. All buildings on site shall be constructed to no more than one-story in height.
5. Mini-storage units on the West side shall be accessed from the internal side of the site only.
6. Signage for the development shall consist of monument style signage only.
7. The development shall be consistent with the submitted site plan.

Commissioner Brown wanted the applicant to understand that the façade ordinance will still apply to the exterior construction of the buildings.

Ms. Turner acknowledged the comments and said the code requirements shall be met.

Commissioner Adams made a Motion to recommend approval of the Specific Use Permit with

the following specifications:

1. Lighting on the site shall be directed internally and shall not consist of pole lights.
2. The exterior construction of buildings shall comply with current Mustang ordinances.
3. Sight proof masonry fencing shall be constructed on the exterior boundaries of the property.
4. All buildings on site shall be constructed to no more than one-story in height.
5. Mini-storage units on the West side shall be accessed from the internal side of the site only.
6. Signage for the development shall consist of monument style signage only.
7. The development shall be consistent with the submitted site plan.

Commissioner Gassen seconded the Motion. The Motion was approved unanimously.

Chairman McDaniel stated the item will now be heard by the City Council on February 6th.

DRAFT



Mustang City Council Agenda Item Report

Meeting Date: February 6, 2024

Submitted by: Ryan Connor

Submitting Department: Community Development

Item Type: Ordinance

Agenda Section: DISCUSSION ITEMS

Subject Title:

Consideration of Ordinance No. 1297, an Ordinance of the City of Mustang, Oklahoma, Amending Municipal Code (1) Chapter 122, Article IX, Section 122-851 To Identify and Regulate Permitted Encroachments Into Yard Areas In Residential and Commercial Zoned Properties, Require an Application and Imposing a Fee, and (2) Chapter 42, Section 18, To Establish the Fee for Permitted Encroachments; Declaring Repealer; and Providing for Severability.

Recommendation:

Approve or Deny Ordinance

Initiator:

Ryan Conner, City Planner

Background:

City Staff has identified instances where commercial accessory structures, such as canopies over gasoline pump stations, are built in violation of platted building setbacks or zoning setbacks. It is staff's opinion that said canopies, which are accessory structures to the main structure on a property, should be permitted within building setbacks in order to perform their intended purpose of keeping persons or equipment protected from environmental elements. This ordinance would amend Section 122-851 of the Municipal Code that is currently titled "Carports" to now be titled as "Permitted Encroachments". This newly amended Section of the Code would regulate the construction of carports in residential zoned areas unchanged but have an added Section dealing with canopies in commercial zoned areas. The types of canopies that would be allowed under the parameters of this Section would be canopies for gasoline pump stations and drive-thru orientated businesses, in which canopies seem to be a growing trend for drive-thru businesses like the fast-food industry. These canopies would require construction permits, be located at minimum 15 ft away from property lines, and still abide by maximum lot coverage requirements for the property. This would allow the canopies to locate in areas that a 50 ft Front Yard Setback or platted building line would normally not allow. There are at least three (3) businesses in Mustang with canopies that this ordinance would bring into compliance with Code.

Financial Impact:

0

Staff Comments:

Staff recommends approval of this ordinance.

Attachments:

[Ordinance No. 1297 - Amending Ch 122-851 - Permissable Encroachments and Ch 42-18 - Fees.pdf](#)

[\(2\) PC Minutes 1-16-2024 - Item 4.pdf](#)

ORDINANCE NO. 1297

AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, AMENDING MUNICIPAL CODE (1) CHAPTER 122, ARTICLE IX, SECTION 122-851 TO IDENTIFY AND REGULATE PERMITTED ENCROACHMENTS INTO YARD AREAS IN RESIDENTIAL AND COMMERCIAL ZONED PROPERTIES, REQUIRE AN APPLICATION AND IMPOSING A FEE, AND (2) CHAPTER 42, SECTION 18, TO ESTABLISH THE FEE FOR PERMITTED ENCROACHMENTS; DECLARING REPEALER; AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSTANG, OKLAHOMA, THAT;

SECTION 1. Chapter 122, Article IX, Section 122-851 is hereby amended to read as follows:

Sec. 122-851. – Permitted Encroachments.

The following features may extend into required minimum yard areas. These restrictions shall apply to buildings, structures, or projections located in yards, or portions thereof, that are required by the setback regulations of this chapter or platted building lines.

(1) Carports in Residentially Zoned Tracts.

- (a) *Definition; standards and restrictions.* For purposes of this section, carports are defined as all structures, whether attached to an existing structure or freestanding, which are constructed for the purpose of providing a roof-type cover only for protection from the sun, rain, snow, sleet or hail. Carports are permitted to be added to residential structures and are subject to the following conditions and regulations:
 - (i) Any person erecting or constructing a carport, in whole or in part, shall obtain a building permit from the city.
 - (ii) No portion of a carport shall violate a required side yard setback as prescribed in this chapter, with the exception that open eaves may extend two feet into the side yard. All width measurements shall be from eave line to eave line.
 - (iii) All carports shall be located only over a paved hard-surfaced drive; provided, however, that a gravel driveway may be used to

satisfy the requirement if the property owner can demonstrate, through dated photographs or dated negatives, that the gravel driveway existed prior to January 1, 1985, or provide other such proof deemed acceptable by the city. Dated photographs or negatives must be dated on the front or back through a development process. Handwritten, typed or other means of dating photographs or negatives other than those dated through the development process shall not be accepted as proof. Those properties currently approved with a residential building permit, whether for a new home, addition, remodel or house move-in, that have been required to install a paved driveway as part of their permit approval or any other regulations pertinent to the approved building permit shall not be exempt from the requirement to install paved driveways.

- (iv) All carports shall be kept in an attractive state, in good repair, and in a safe and sanitary condition.
- (v) Metal carports shall be constructed of 26-gauge steel or 0.025 aluminum decking with a baked-on enamel finish, to be compatible with the exterior finish of the structure. Poles supporting the carport shall be wrought iron or of a metal material compatible with the exterior finish of the structure. Exposed eaves shall have rain guttering directing water flow to the street and away from adjacent properties. Wooden construction of carports shall be permitted with the following provisions:
 - A. Roof slopes shall exceed a pitch of two inches in 12 inches.
 - B. All eaves shall be enclosed and have rain guttering installed to divert water to the street and/or away from adjacent properties unless the pitch of the roof diverts the flow of rainwater to the street.
 - C. Finishes shall be compatible with the exterior of the primary structure.
 - D. The underside of the carport shall be enclosed with an approved material.
- (vi) No more than one carport shall be permitted for each dwelling unit, and no carport shall exceed 24 feet in width.
- (vii) All carports shall be permanently open on two sides from the grade surface to the eave line. All carports which extend into the required front yard setback shall be permanently open on three sides from the grade surface to the eave line.

- (viii) All carports shall comply with the front yard setback requirements of this chapter, provided that carports used in conjunction with single-family dwellings or two-family dwellings shall be permitted to extend into the required front yard setback areas; however, no portion of a carport shall be permitted closer than five feet to the right-of-way line of a public street except as provided in subsection (a)(9) of this section.
 - (ix) For corner lots only, a carport may extend into the right-of-way of only a local street if the garage is so situated because of the building setback line that a carport cannot be constructed without extending into the right-of-way. In this situation a carport may extend into the right-of-way; however, no carport shall be permitted closer than six feet to the curblin and no carport shall be more than 20 feet in length measured from the structure to which it is attached. The carport must be constructed in such a manner as not to obstruct sight distance at the intersection. Damage to any public utility associated with the carport shall be the responsibility of the property owner. If the city shall determine that street widening is necessary or the installation, repair or replacement or maintenance of existing or future public utilities is necessary, the city or any public utility shall have the right to remove the carport. The cost of removal and reinstallation, if allowed, shall be at the owner's expense. If the owner refuses to remove the carport, the city or public utility may have the carport removed, such cost being included on the ad valorem tax rolls of the property as a debt if not paid. Other provisions of this Code which would prohibit structures within the right-of-way shall not apply to this exception.
 - (x) All carports must be designed to support a load of 20 pounds per square foot in addition to the weight of the structure.
 - (xi) Freestanding carports shall be supported by 2½-inch diameter by 14-gauge steel columns, or columns of equivalent strength, set in concrete footings not less than 24 inches deep and not less than 12 inches in diameter.
- (b) *Permit.*
- (1) It shall be unlawful for any person to construct or install any carport within the city without first obtaining a permit to do so from the community development department and paying the applicable permit fee.

- (2) An application for a permit under this section shall be in writing, on forms provided for that purpose. Such application shall contain the address of the applicant, along with a detailed drawing showing the desired specifications for the proposed carport and showing on such drawing compliance with this section and other applicable ordinances in all particulars. The application shall contain such other information as is deemed necessary by the community development director.

(2) Canopies in Commercially Zoned Tracts

- (a) *Definition; standards and restrictions.* For the purposes of this section, canopies are defined as accessory structures, whether attached to an existing structure or freestanding, which are constructed for the purposes of providing a roof-type cover only for the protection from the sun, rain, snow, sleet, or hail. Canopies used in commercially zoned tracts of land for the following uses shall be allowed to encroach into the front, side, and rear yard building lines as permanent structures so long as said canopies shall be set back at least 15 feet from property lines:
 - (1) Gasoline pump stations
 - (2) Drive-thru orientated businesses
- (b) *Permit.*
 - (1) It shall be unlawful for any person or business to construct or install any canopy within the city limits without first obtaining a permit to do so from the community development department and paying the applicable permit fee.
 - (2) An application for a permit under this section shall be in writing, on forms provided for that purpose. Such application shall contain the address of the applicant, along with a detailed drawing showing the desired specifications for the proposed canopy and showing on such drawing compliance with this section and other applicable ordinances in all particulars. The application shall contain such other information as is deemed necessary by the permits department.

SECTION 2. Chapter 42, Section 42-18, is hereby amended to add new Section 42-18(6) to read as follows:

Sec. 42-18 – Chapter 18: Buildings and building regulations.

- (a) Building, driveways, electrical, plumbing, heat and air, and solar heat permit and inspection fees. The fees for plan review, building, driveways, electrical, plumbing, heat and air, and solar heat permits and inspections under chapter 18 are as follows:
 - (1) [This subsection remains unchanged.]
 - (2) [This subsection remains unchanged.]
 - (3) [This subsection remains unchanged.]
 - (4) [This subsection remains unchanged.]
 - (5) [This subsection remains unchanged.]
 - (6) Permissible Encroachments (122-851) \$50.00
- (b) [This subsection remains unchanged.]
- (c) [This subsection remains unchanged.]

SECTION 3. REPEALER

All former ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 4. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND APPROVED this 6th day of February, 2024

Brian Grider, Mayor

ATTEST:

Lisa Martin, City Clerk

APPROVED as to form this 6th day of February, 2024.

Jonathan E. Miller, City Attorney

PLANNING COMMISSION MINUTES JANUARY 16, 2024

The Mustang Planning Commission met in a regular session on Tuesday, January 16th, 2024 at 7:00 p.m. at the Mustang Municipal Building, City Council Chambers at 1501 N. Mustang Road.

4. Proposed Ordinance Amendments to Section 122-851 Regarding Permissible Encroachments

City Planner Ryan Conner addressed the Planning Commission about a potential amendment to Section 122-851 of the Municipal Code. He explained that this section currently is titled "Carports" and details the specifications for construction and allow for property owners to construct carports within the front yard setback. **Mr. Conner** explained that staff has researched and found that for now, there are two specific types of commercial situations that could benefit from allowing construction inside of either zoning or platted building lines. He said that both gas station pump canopies and drive thru business related canopies are types of detached accessory structures that are typically found closer to property lines than where building lines would typically allow construction. **Mr. Conner** said that over half of the current gas stations in town have gas station pumps with canopies that are within building setbacks and that several drive thru type businesses in the nation are starting to utilize canopies to protect workers or customers from the elements when waiting in line for food or services. He said this ordinance would allow for these detached accessory canopies to be located in the building lines and would allow for all of the current businesses in town that have canopies in the setbacks to come into compliance.

Commissioner Brown asked what the Commission needed to do on this Ordinance.

Mr. Conner answered by saying that any changes to the Zoning Ordinance comes before the Planning Commission for discussion and recommendation before it goes to the City Council.

Commissioner Bratton made a Motion to close the public hearing. **Commissioner O'Daniel** seconded the Motion. The Motion was approved unanimously.

Commissioner Adams made a Motion to recommend approval of the ordinance amendment as presented. **Commission Bratton** seconded the Motion. The Motion was approved unanimously.



Mustang City Council Agenda Item Report

Meeting Date: February 6, 2024

Submitted by: Jon Miller

Submitting Department: Law

Item Type: Ordinance

Agenda Section: DISCUSSION ITEMS

Subject Title:

*Consideration of Ordinance No. 1298, an Ordinance of the City of Mustang, Oklahoma, Amending the Code of Ordinances by: (A) Amending Chapter 118, Section 118-6(A) to Increase the Deposit Fee for Temporary Water Flow Meters; and (B) Amending Chapter 42, Section 42-118(A) to Increase the Deposit Fee for Temporary Water Flow Meters; Declaring Repealer; and Providing for Severability.

Recommendation:

Approval of ordinance.

Initiator:

Tammi Noblitt, Finance

Background:

The City provides temporary water flow meters for use by developers and citizens. The City requires a deposit when a permit is issued and a temporary flow water meter is delivered to an applicant. The current deposit amount does not cover the cost for a new temporary water flow meter. The purpose of this ordinance is to increase the deposit amount sufficient to cover the cost for a replacement meter.

Financial Impact:

None

Staff Comments:

Staff recommends approval.

Attachments:

[Ordinance No. 1298 - Amending Ch 118-6 - Temporary Water Flow Meter Deposit and Ch 42-118 - Fees.pdf](#)

ORDINANCE NO. 1298

AN ORDINANCE OF THE CITY OF MUSTANG, OKLAHOMA, AMENDING THE CODE OF ORDINANCES BY: (A) AMENDING CHAPTER 118, SECTION 118-6(A) TO INCREASE THE DEPOSIT FEE FOR TEMPORARY WATER FLOW METERS; AND (B) AMENDING CHAPTER 42, SECTION 42-118(A) TO INCREASE THE DEPOSIT FEE FOR TEMPORARY WATER FLOW METERS; DECLARING REPEALER; AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSTANG, OKLAHOMA;

SECTION 1. Chapter 118 of the Code of Ordinances of the City of Mustang, Oklahoma, is hereby amended by amending Section 118-6(a) to read as follows:

Sec. 118-6. Temporary water flow meters – Terms of Use.

- (a) Every consumer applying for a temporary water flow meter shall be required to complete an application on a form determined by the Finance Director, and submit a deposit in the amount of One Thousand Six Hundred and No/100 Dollars (\$1,600.00), for each requested meter.

[No changes to subsections (b) through (i).]

SECTION 2. Chapter 42, Section 42-118(a) of the Code of Ordinances of the City of Mustang, Oklahoma, is hereby amended to read as follows:

Sec. 42-118. Chapter 118: Utilities.

- (a) Utility application fee and security deposits. The application fee for a new account and security deposits shall be as follows:
 - (1) New account application fee \$ 20.00
 - (2) Utility service deposits:
 - a. Residential (owned property)..... \$ 75.00
 - b. Residential (rented property) \$ 100.00
 - c. Commercial \$ 100.00
 - d. Temporary water flow meters \$1,600.00

[No changes to subsections (b) through (d).]

Section 3. REPEALER

All former ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 4. SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. EMERGENCY

It being immediately necessary for the preservation of the public health, peace and safety of the City of Mustang and the inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

PASSED AND APPROVED and the Emergency Clause voted upon separately and passed and approved this 6th day of February, 2024.

Brian Grider, Mayor

ATTEST:

Lisa Martin, City Clerk

APPROVED as to form this 6th day of February, 2024.

Jonathan E. Miller, City Attorney



Agenda Item No: I.1

Mustang City Council Agenda Item Report

Meeting Date: February 6, 2024

Submitted by: Jon Miller

Submitting Department: Law

Item Type: Report

Agenda Section: MATTERS FOR EXECUTIVE SESSION

Subject Title:

Consideration of In re the Expungement of the Criminal Records of SB, Canadian County, Oklahoma; and, proposed Executive Session as authorized by 25 Okla. Stat. 307(B)(4).

Recommendation:

Adjourn to Executive Session for Discussion

Initiator:

Jon Miller, City Attorney

Background:

Background will be presented in executive session.

Financial Impact:

Staff Comments:

Staff recommends adjourning to executive session for discussion.

Attachments:



Agenda Item No: I.2

Mustang City Council Agenda Item Report

Meeting Date: February 6, 2024

Submitted by: Jon Miller

Submitting Department: Law

Item Type: Report

Agenda Section: MATTERS FOR EXECUTIVE SESSION

Subject Title:

Consideration of Stephen and Darla Upchurch, et al. vs. The City of Mustang and Wright Water Corporation, Case No. CJ-2024-19, District Court, Canadian County, State of Oklahoma; and, proposed Executive Session as authorized by 25 Okla. Stat. 307(B)(4).

Recommendation:

Adjourn to Executive Session for Discussion.

Initiator:

Jon Miller, City Attorney

Background:

Stephen and Darla Upchurch, et al., sued the City of Mustang and Wright Water Corporation. In their Petition, plaintiffs allege their home was flooded with raw sewage, creating a nuisance and causing damage. Plaintiffs assert damages in excess of \$75,000.00.

Financial Impact:

Unknown

Staff Comments:

Staff recommends adjourning to executive session for discussion.

Attachments: