

**City of Choctaw**  
**Regular Board of Adjustments Meeting**  
**December 27, 2021 @ 7:00pm**  
**Choctaw City Hall, 2500 N Choctaw Road**  
**Choctaw, Oklahoma 73020**

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1. **Call to Order.**
2. **Invocation and Pledge of Allegiance.**
3. **Roll Call.**
4. **Business Agenda:** The following items are hereby designated for discussion and consideration which requires individual action.
  - 4.1 Conduct public hearing to solicit general public input regarding an application requesting a “variance” of the Specific Use Permits, Section 12-272 and Area & Height Regulations, Section 12-273.

<b>Applicant:</b>	Rader Development LLC
<b>Location:</b>	SE 15 <sup>th</sup> Street and Anderson Road
<b>Current Zoning:</b>	General Commercial District (C-G)
<b>Variance:</b>	12-272, Specific Use Permits and 12-273, Area & Height Regulations
<b>Legal Description:</b>	CASS TOWNSHIP 000 000 PT SE4 SEC 5 11N 1W W 1/2 OF SE4 & NE4 OF SE4 EX THAT PT PLATTED INTO BLKS 1 THRU 9 POINTONS REDWOOD MANOR & EX BEG SW/C LOT 22 BLK 1 COUNTRY PLACE ESTATES S300FT W665FT N300FT E665FT TO BEG EX BEG 1380.49FT W OF SE/C SE4 TH W1260.65FT N364FT E660.02FT S35FT E601.01FT S329FT TO BEG & POINTONS REDWOOD MANORS 003 000 LOTS 1 THRU 9 BLK 2 & LOTS 1 THRU 18 & LOTS 38 THRU 40 BLK 3 POINTONS REDWOOD MANORS

**Staff Presentation.**  
**Open public hearing.**  
**Receive Comments.**  
**Close public hearing.**

**4.1.1** Consideration and possible action on the “variance” request of Rader Development LLC, SE 15<sup>th</sup> Street and Anderson Road.

**4.2** Regular meeting minutes for October 25, 2021 and Special meeting minutes for December 13, 2021.

**5. Commissioner/Staff Remarks:** This item is listed to provide an opportunity for the commissioners and/or staff to make comments and/or request specific agenda items. **No action will be taken.**

**6. Adjournment:**

*This agenda was posted in prominent public view at Choctaw City Hall on or prior to 5:00pm on December 20, 2021 in accordance with the Oklahoma Open Meeting Act.*



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Amanda Williams, City Clerk

THE CITY OF CHOCTAW ENCOURAGES PARTICIPATION FROM ALL ITS CITIZENS. IF PARTICIPATION AT ANY PUBLIC MEETING IS NOT POSSIBLE DUE TO A DISABILITY, PLEASE NOTIFY THE CITY CLERK AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING SO THAT NECESSARY ACCOMMODATIONS CAN BE MADE. ACCESS TO RESTROOMS DURING THE MEETING WILL BE AVAILABLE UPON REQUEST TO CITY STAFF.

# CITY OF CHOCTAW

## STAFF REPORT

Board of Adjustments

Meeting of: 12/27/2021

Development Services

Sarah Huffine

Department

Prepared By

Purvi Patel

Department Head

**AGENDA TITLE:** A Variance Request Application for 11801 SE 15th Street, submitted by Rader Development Company.

\*\*\*\*\*



\*\*Public hearing required if this box is checked\*\*

### **Report:**

Rader Development Company is the applicant requesting the variance for the approved future multi-family development. The applicant is requesting variances to the setback from all property lines and height regulations for an observation tower only.

The property carries a C-G, General Commercial District with a Specific Use Permit (SUP) for multi-family. The SUP for the multi-family development was approved by the Planning Commission on October 7<sup>th</sup>, 2021 and by the City Council on October 19<sup>th</sup>, 2021 via Resolution 21-38 (attached to this report). The overall approval of the SUP from the Planning Commission and City Council took into account the requested variances being reviewed by the Board of Adjustment. The SUP allows for a maximum of 526 units to be housed in 45 building.

The applicant is requesting a variance to **§12-273 Area and Height Regulations** specifically the front yard setback, side yard setback, rear yard setback, and maximum height. Section 12-273.A.3. states:

- d. Maximum Height: 35 feet
- e. Minimum Front Yard Setback: 1 foot/1 foot+ each unit over two. 15 feet minimum
- f. Minimum Side Yard Setback: 1 foot/1 foot+ each unit over two. 15 feet minimum
- g. Minimum Rear Yard Setback: 20%

The applicant's variance request is to install an observation tower at a maximum height of 45 feet. The remainder of the structures shall meet the minimum 35 foot height restriction. The applicant is also requesting a variance to allow for a 40 foot setback from all property lines. The parcel shape is unique and therefore enforcing the minimum setback requirements of the R-G District would be a challenge.

- Land Use: Historically, the existing parcel has been vacant.
  - Future Land Use: Local Business which is defined as Light retail, service uses, and professional office activities that aim to meet the needs of residents in the immediate vicinity. This land designation includes boutique retail shops, small sized restaurants and services such as financial, legal, and insurance.
  - Physical Constraints: a Choctaw Creek runs through the site from the south to north, close to the south-western boundary. There is also some FEMA designated floodplain and floodway along this boundary and the developer will be responsible for all appropriate permits for work within these areas.
- Transportation: The development will be accessed off SE 15<sup>th</sup> Street via a boulevard entrance; as well as an entrance from Mountain View Boulevard. The developer will be required to provide an additional 17 foot right-of-way along SE 15<sup>th</sup> Street as identified in the Comprehensive Plan. They will also be required to complete the connection to the existing paved portion of Mountain View Boulevard.

The drive off of SE 15<sup>th</sup> Street, as well as all interior drives will be private and the maintenance will be the property owner's responsibility or owner. Mountain View Drive is currently identified as a public right-of-way; the exact end of the public right-of-way and the start of private drive will be determined during the platting process.

- Infrastructure: The subject development will have to be served by public water and sewer.

There is a 12 inch water line along the in the South Anderson Road right-of-way. The developer will connect to this main and extend the main through the development.

The City is currently working on replacing the lagoon within this quarter-mile section with a lift station. There are sewer lines that connect to this lift station. The developer will either have to connect to the City's lift station or connect to an existing manhole depending on the flow. There will be a need for a lift station within the development to take the sewer from the development to the existing manholes or City's lift station, due to the existing terrain. The developer will be required to engineer and construct this lift station if required.





# CITY OF CHOCTAW

## Staff Report



Applicant: **Rader Development Company**

Location: **11801 SE 15<sup>th</sup> Street**

Subject: **Variance for § 12-273, Area and Height Regulations**

Current Zoning: **C-G, General Commercial District with a Specific Use Permit for Multi-Family**

Rader Development Company is the applicant requesting the variance for the approved future multi-family development. The applicant is requesting variances to the setback from all property lines and height regulations for an observation tower only.

The property carries a C-G, General Commercial District with a Specific Use Permit (SUP) for multi-family. The SUP for the multi-family development was approved by the Planning Commission on October 7<sup>th</sup>, 2021 and by the City Council on October 19<sup>th</sup>, 2021 via Resolution 21-38 (attached to this report). The overall approval of the SUP from the Planning Commission and City Council took into account the requested variances being reviewed by the Board of Adjustment. The SUP allows for a maximum of 526 units to be housed in 45 buildings.

### **APPLICANT PROPOSAL**

The applicant is requesting a variance to **§12-273 Area and Height Regulations** specifically the front yard setback, side yard setback, rear yard setback, and maximum height. Section 12-273.A.3. states:

- |    |                             |  |
|----|-----------------------------|--|
| d. | Maximum Height:             | 35 feet  |
| e. | Minimum Front Yard Setback: | 1 foot/1 foot<br>+ each unit over two<br>15 feet minimum |
| f. | Minimum Side Yard Setback:  | 1 foot/1 foot<br>+ each unit over two<br>15 feet minimum |
| g. | Minimum Rear Yard Setback:  | 20%  |

The applicant's variance request is to install an observation tower at a maximum height of 45 feet. The remainder of the structures shall meet the minimum 35 foot height restriction. The applicant is also requesting a variance to allow for a 40 foot setback from all property lines. The parcel shape is unique and therefore enforcing the minimum setback requirements of the R-G District would be a challenge.

### **EXISTING ZONING AND BUILDING USE REGULATIONS**

The current zoning for the property is C-G "General Commercial District" with a Specific Use Permit (SUP) for multi-family and the properties bound to the north, east, and south are also zoned C-G, "General Commercial District." The property is bound on the west by the Midwest City jurisdictional boundary. The surrounding land uses are either single family residences, commercial uses, or vacant land.





### **COMPREHENSIVE PLAN**

- **Land Use** – Historically, the existing parcel has been vacant.
- **Future Land Use** – Local Business which is defined as Light retail, service uses, and professional office activities that aim to meet the needs of residents in the immediate vicinity. This land designation includes boutique retail shops, small sized restaurants and services such as financial, legal, and insurance.
- **Transportation** – The property has frontage along SE 15th Street which is an arterial street. The statutory right-of-way requirement for arterials is thirty-three (33) feet on one half of the roadway and therefore an additional seventeen (17) feet of public roadway and utility easement dedication will be required through the platting process. Additionally, the developer will be responsible for tying into Mountain View Boulevard near the northern boundary of the site, to provide for a secondary access to the site.
- **Infrastructure** – The subject development will have to be served by public water and sewer.

### WATER AND SEWER

The subject development will have to be served by public water and sewer.

There is a 12 inch water line along the in the South Anderson Road right-of-way. The developer will connect to this main and extend the main through the development.

The City is currently working on replacing the lagoon within this quarter-mile section with a lift station. There are sewer lines that connect to this lift station. The developer will either have to connect to the City's lift station or connect to an existing manhole depending on the flow. There will be a need for a lift station within the development to take the sewer from the development to the existing manholes or City's lift station, due to the existing terrain. The developer will be required to engineer and construct this lift station if required.

Future installation and/or connection to a public water and sewer service will require all appropriate permits and installation as required by the City of Choctaw, Oklahoma Water Resource Board (OWRB), and Oklahoma Department of Environmental Quality (ODEQ).

### TRANSPORTATION

The development will be accessed off SE 15<sup>th</sup> Street via a boulevard entrance; as well as an entrance from Mountain View Boulevard. The developer will be required to provide an additional 17 foot right-of-way along SE 15<sup>th</sup> Street as identified in the Comprehensive Plan. They will also be required to complete the connection to the existing paved portion of Mountain View Boulevard.

The drive off of SE 15<sup>th</sup> Street, as well as all interior drives will be private and the maintenance will be the property owner's responsibility or owner. Mountain View Drive is currently identified as a public right-of-way; the exact end of the public right-of-way and the start of private drive will be determined during the platting process.

### POWERS TO GRANT VARIANCES

The Board of Adjustment shall have the following powers as outlined in Article B, Sections 12-125 of the City of Choctaw Zoning Ordinance:

The Board of Adjustment shall have the power to authorize upon appeal in specific cases such variances from the terms of the zoning regulations in Section 12-201 et seq. of this code as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the zoning regulations, will in any individual case, result in unnecessary hardship, so that the spirit of the zoning regulations shall be observed, public safety and welfare secured, and substantial Justice done. **Such variances may be granted in such individual case of unnecessary hardship upon a finding by the board of adjustment that:**

- (1) *At the time of the original adoption of the regulations there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography, or other extraordinary or exceptional situations or condition of a specific piece of property.*
- (2) *The strict application of the zoning regulations to this particular and exceptional piece of property would create an unnecessary hardship, not self-imposed by the owner of developer.*

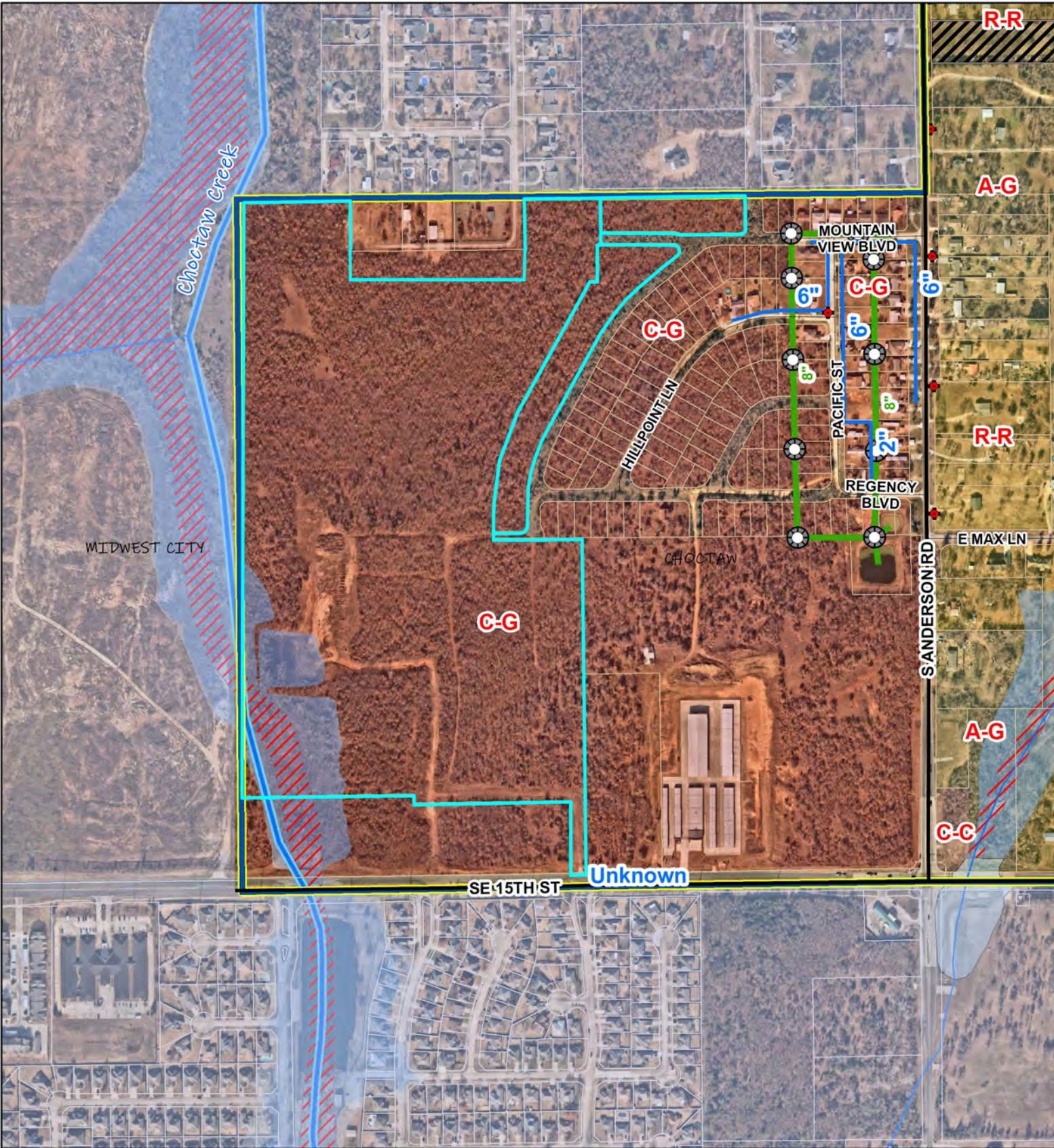
- (3) Such conditions are peculiar only to the particular piece of property involved and not generally prevalent in the area.*
- (4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations, provided however, that no variance may be granted for a use of land or building or structure that is prohibited by the zoning regulations set forth in §§ 12-201, "Title known as the Zoning Ordinance of the City of Choctaw, Oklahoma", of this code.*

The Board may grant an appeal, subject to such terms and conditions, provided the applicant has demonstrate to the satisfaction of the Board that the conditions governing the granting of a variance as set forth in the Zoning Regulations are satisfied and that the decisions of the Board would be in the interest of the community and would carry out the spirit and intent of the Zoning Regulations.

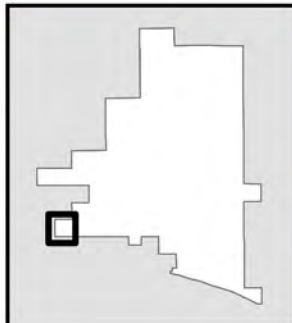
**CITY OF CHOCTAW STAFF**

The City of Choctaw's staff has reviewed the variance request by Rader Development Company. Staff has completed its review of the variance request to the maximum height for the observation tower only and the minimum setback from all property lines.





**City of Choctaw**  
 PO Box 567  
 2500 N. Choctaw Rd  
 Ph. (405) 390-8198  
 Fax: (405) 390-3332



**PLEASE NOTE:**  
 This map was created solely as a representation use by the City of Choctaw, Oklahoma. The City of Choctaw, Oklahoma assumes no responsibility for the content or accuracy of this map.

**Map Date:** Author:  
**Date:** 12/20/2021 **Dev Dept, PP**



S. ANDERSON RD.




  
**CONCEPTUAL SITE PLAN**
  
 SCALE: 1" = 80'-0"

NOT FOR CONSTRUCTION

# FOX POINTE AT CHOCTAW

RADER BUILDING CO.  
 CONCEPTUAL SITE PLAN

Revisions	No.	Date

PROJ. NO. 2141  
 DATE SEPTEMBER 27, 2021  
 SHEET NO. **A1.1**



ARCHITECTURE + PLANNING  
 INTERIORS  
 914 N. BROADWAY  
 OKLAHOMA CITY, OK 73102  
 PHONE: 405.228.1100  
 FAX: 405.228.1101  
 WWW.HSEARCHITECTS.COM



## RESOLUTION 21-38

**A RESOLUTION FOR THE PURPOSE OF APPROVING A SPECIFIC USE PERMIT FOR AN A MULTIFAMILY RESIDENTIAL DEVELOPMENT FOR A 66.986 ACRE TRACT OF LAND WITHIN IN THE C-G, GENERAL COMMERCIAL DISTRICT LOCATED ALONG SE 15TH STREET IN THE CITY OF CHOCTAW, OKLAHOMA.**

**WHEREAS**, the applicant (Rader Development) has submitted an application for a Specific Use Permit for a multi-family residential development located as follows:

A tract of land lying in the Southeast Quarter (SE/4) of Section Five (5), Township Eleven (11) North, Range One (1) West of the Indian Meridian, City of Choctaw, Oklahoma County, Oklahoma, said tract of land being more particularly described by metes and bounds as follows:

COMMENCING at the southeast corner of the Southeast Quarter (SE/4) of said Section Five (5);

THENCE South 89°17'53" West as the basis of bearing, along the south line of said Southeast Quarter (SE/4), a distance of 1320.52 feet to the POINT OF BEGINNING; THENCE continuing South 89°17'53" West, along said south line, a distance of 60.00 feet; THENCE North 00°14'09" West a distance of 329.00 feet; THENCE South 89°17'53" West a distance of 601.01 feet; THENCE North 00°18'05" West a distance of 35.00 feet; THENCE South 89°17'53" West a distance of 659.07 feet to a point on the west line of said Southeast Quarter (SE/4); THENCE North 00°10'20" West, along said west line, a distance of 2279.63 feet to the northwest corner of said SE/4; THENCE North 89°22'08" East, along the north line of said Southeast Quarter (SE/4), a distance of 425.93 feet; THENCE South 00°35'32" East a distance of 300.35 feet; THENCE North 89°24'35" East a distance of 665.00 feet; THENCE North 00°35'32" West a distance of 300.82 feet to a point on the north line of said Southeast Quarter (SE/4); THENCE North 89°22'08" East, along said north line, a distance of 860.11 feet; THENCE South 00°41'12" East a distance of 115.60 feet to a point of curvature; THENCE Southwesterly along a curve to the right having a radius of 25.00 feet for an arc length of 39.27 feet, said curve being subtended by a chord bearing South 44°18'48" West for a chord length of 35.36 feet; THENCE South 89°18'48" West a distance of 222.35 feet; THENCE North 73°11'38" West a distance of 33.27 feet; THENCE South 89°18'48" West a distance of 276.92 feet; THENCE South 00°41'12" East a distance of 25.00 feet; THENCE South 89°18'48" West a distance of 11.79 feet; THENCE South 00°41'12" East a distance of 25.00 feet; THENCE North 89°18'48" East a distance of 291.76 feet to a point of curvature; THENCE Southeasterly along a curve to the right having a radius of 25.00 feet for an arc length of 62.61 feet, said curve being subtended by a chord bearing South 18°56'12" East for a chord length of 47.48 feet; THENCE South 52°48'48" West a distance of 119.09 feet to a point of curvature; THENCE Southwesterly along a curve to the left having a radius of 795.00 feet for an arc length of 326.07 feet, said curve being subtended by a chord bearing South 41°03'48" West for a chord length of 323.79 feet; THENCE South 29°18'48" West a distance of 392.49 feet to a point of curvature; THENCE Southwesterly along a curve to the left having a radius of 625.00



feet for an arc length of 327.25 feet, said curve being subtended by a chord bearing South 14°18'48" West for a chord length of 323.52 feet; THENCE South 00°41'12" East a distance of 80.09 feet to a point of curvature; THENCE Southwesterly along a curve to the right having a radius of 25.00 feet for an arc length of 39.27 feet, said curve being subtended by a chord bearing South 44°18'48" West for a chord length of 35.36 feet; THENCE South 89°18'48" West a distance of 105.00 feet; THENCE South 00°41'12" East a distance of 24.61 feet; THENCE North 89°20'01" East a distance of 340.08 feet to a point on the east line of the West Half of the Southeast Quarter (W/2 SE/4); THENCE South 00°10'19" East, along said east line, a distance of 1321.00 feet to the POINT OF BEGINNING.

Said described tract of land contains an area of 2,917,929 square feet or 66.9864 acres, more or less (11801 SE 15<sup>th</sup> Street); and

**WHEREAS**, the development shall not exceed 526 multi-family units; and

**WHEREAS**, the development shall be served by public water and public sewer; and

**WHEREAS**, all the interior roads and parking shall be privately maintained; and

**WHEREAS**, the approved design statement and conceptual site plan are hereby attached to this resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of The City of Choctaw, Oklahoma County, Oklahoma, that:

**SECTION 1.** The City hereby approves the Specific Use Permit for a multifamily residential development at 11801 SE 15<sup>th</sup> Street.

**SECTION 2.** The City hereby approves the variance request for forty (40) foot setbacks from all property lines.

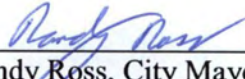
**SECTION 3.** The City hereby approves the variance request to allow a maximum height of forty-five (45) foot for the observation tower only.

**SECTION 4.** If for any reason the approved specific use ceases operation for a period of two years, then the approval of said specific use shall be considered void and will require another public hearing review by the Planning Commission and City Council. This shall also apply to any approved specific use that does not begin operation within two years of approval. This voiding of approval shall not apply if orderly progress toward completion of construction is taking place. Uses existing before the adoption of the Specific Use Permit ordinance, including nonconforming uses and their incidental and accessory uses, must receive a Specific Use Permit before any expansion of the use is permitted.

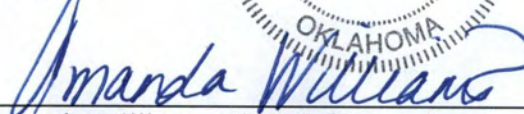


**ADOPTED** by the City Council of Choctaw and **SIGNED** by the Mayor this 19<sup>th</sup> day of October, 2021.



  
\_\_\_\_\_  
Randy Ross, City Mayor

ATTEST:

  
\_\_\_\_\_  
Amanda Williams, City Clerk

Approved as to form and legality this 19<sup>th</sup> day of October, 2021.

  
\_\_\_\_\_  
Ray Vincent, City Attorney

**SPECIFIC USE PERMIT  
CITY OF CHOCTAW**

**FOR**

**Rader Development LLC**

**Fox Pointe at Choctaw**

**Owners:** Pointon Properties, Inc.  
20920 Reland Street  
Newalla, OK 74857

**Developers:** Rader Development LLC  
c/o Brandon Rader  
609 S. Kelly Ave. Suite L2  
Edmond, OK 73003

**Prepared By:** Todd McKinnis, Attorney  
Rubenstein & Pitts, PLLC  
1503 E. 19<sup>th</sup> St.  
Edmond, OK 73013

**General Location:**

Approximately 67.9 acres, more or less, located west of Anderson Road and north of SE 15<sup>th</sup> Street in the City of Choctaw ("City"), Oklahoma County, Oklahoma, as more specifically described on Exhibit "A", attached hereto and incorporated herein by reference (the "Property").

September 7, 2021

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# RADER DEVELOPMENT LLC

Fox Pointe at Choctaw

## INTRODUCTION:

1. **The Title of the Development Project:**

Fox Pointe at Choctaw

2. **The Owners:**

Pointon Properties, Inc.  
20920 Reland Street  
Newalla, OK 74857

**The Developers:**

Rader Development LLC  
c/o Brandon Rader  
609 S. Kelly Ave. Suite L2  
Edmond, OK 73003

3. **General Location of the Property:**

Located approximately 1200 feet west of Anderson Road and taking access from SE 15<sup>th</sup> Street via a proposed divided Boulevard, the 67.9-acre site is located approximately 300 feet north of SE 15<sup>th</sup> Street. More specifically described on Exhibit A attached hereto and incorporated herein by reference (the "Property").

4. **Current Zoning:**

General Commercial.

5. **Comprehensive Plan Designation:**

Local Business.

6. **A Brief Description of the Project Concept:**

The concept for the development project is for the Developer to move forward with the construction of a high-end multi-family residential community with a rural feel. (the "Project"). The entry will be well landscaped and the existing pond on site will be utilized as an amenity in a common area to facilitate a sense of community among residents. These homes will have rich materials and diverse architectural features. The

subdivision layout mends with the existing topography and land features.

7. **Proposed Uses:**

The Project Preliminary Plan includes forty-five (45) multi-family residential buildings containing up to five hundred twenty-six (526) one and two-bedroom units. The Project also contemplates an 18,000 square foot clubhouse and the following amenities: three (3) swimming pools, basketball court, volleyball court, open spaces for parks as well as a stage and amphitheater.

8. **Tract Information:**

The Property consists of approximately 65.9 acres, more or less. The elevation of the subject property at the high point is approximately 1270 feet located near the center of the northern edge of the property. The property slopes outward from the high point in all directions with slopes ranging from 3-5%. The subject property has soils characteristics predominantly defined by hydrologic soil groups B, C, and D, and has moderate tree cover. This property receives off-site drainage from the north. Approximately 10% of the property is in the 100-year flood plain. Developer will comply with all City ordinances regarding water detention without variance. The detention ponds are to be located within the Project boundaries and shall be approved by City of Choctaw engineers.

9. **Utility Services:**

The Property has public utilities to the perimeter, and the Developer will coordinate with the City of Choctaw to expand utility services throughout the Project in such manner as is necessary and adequate to service the entire Project. It has been suggested that a lift station will be necessary to manage this additional connection. Developer will continue to work with City staff to extend the water line to 15<sup>th</sup> Street and install and/ or connect to a public water and sewer service. Developer will acquire all appropriate permits as required by the City of Choctaw. Electric facilities for this property are available through the Oklahoma Gas & Electric. Gas facilities for this property are available through ONG. Data service facilities for this property are available through the Cox Cable and AT&T. Proper coordination with the various utility companies will be made in conjunction with this development.

10. **Area and Height Regulations:**

Except as set forth herein, the Project will be constructed in accordance with City of Choctaw regulations. Project shall have setback of forty (40) feet on all sides. The observation tower will have a maximum height of forty-five (45) feet. A general and preliminary layout of the Project is on Exhibit "B", attached hereto and incorporated herein by reference ("Preliminary Plan"). However, the layout on Exhibit "B" is subject to modification as development conditions, design elements and market conditions dictate.

The Project will be subject to further site plan review and approval by the City of Choctaw.

**11. Special Conditions:**

Except as specifically set forth herein, the Project will meet City requirements, as may be amended from time to time.

- a. Façade Regulation and Exterior Walls. The Project shall comply with City ordinances without variance. Exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 50% brick veneer, rock or stone masonry, drivet, rock, stone, fiber cement siding also known as James Hardie siding, or other similar type finish. Vinyl shall not be permitted.
- b. Landscaping Regulation. All landscaping within the Project shall comply with the fifteen percent (15%) requirement in the City of Choctaw Landscaping Code.
- c. Lighting Regulations. All lighting shall comply with the regulations set in the City of Choctaw Zoning Regulations.
- d. Screening Regulations. All screening shall comply with the regulations set in the City of Choctaw Zoning Regulations to include screening of dumpster areas.
- f. Street and Access Regulations. The Project fronts on SE 15th Street which is an arterial street. The Property shall have one (1) point of access to SE 15th Street and (1) access point will connect to Anderson Road via Mountain View Boulevard. The interior flow of traffic will be handled by private parking areas into and throughout the Property. The primary entry will be well landscaped and gated providing secured access for residents. Mountain View Boulevard will be completed to provide a public entrance.
- g. Parking Regulations. The parking shall comply with City ordinances without variance. The Preliminary Plan contemplates 912 total parking spaces consisting of 210 in-garage spaces and 702 surface parking spaces. This provides 1.68 spaces per dwelling unit.
- h. Sidewalk Regulations. The Project shall comply with City ordinances without variance.
- i. Signage Regulations. Signage shall be constructed and designed in a manner consistent with the character and quality of the materials of the overall development and remain consistent with existing monument signage in the area. It is anticipated that the sign shall be principally constructed of brick, rock or stone, as well as other materials complementary to the Project. The signs shall be located to coordinate with the access drives and will comply with City Standards.

- j. Open Space/ Recreation Areas. The Property shall leverage open space and non-impervious surfaces to create a more enjoyable and environmentally friendly development. The existing pond on site will be utilized as an amenity in a common area to facilitate a sense of community between residents. The Project shall meet or exceed the calculated Parkland Dedication requirement of 8.416 acres.
- k. Project Scheduling and Elements of Each Phase. The buildings and the site will be constructed as market conditions dictate upon approval of site plans by the City Council.
- l. Platting Requirements. The Property is currently not platted, and the Developer shall comply with any City platting requirements.

Respectfully submitted,

Todd A. McKinnis

Attorney for Owner/Developer

LEGAL DESCRIPTION:

A tract of land lying in the Southeast Quarter (SE/4) of Section Five (5), Township Eleven (11) North, Range One (1) West of the Indian Meridian, City of Choctaw, Oklahoma County, Oklahoma, said tract of land being more particularly described by metes and bounds as follows:

COMMENCING at the southeast corner of the Southeast Quarter (SE/4) of said Section Five (5);

THENCE South  $89^{\circ}17'53''$  West as the basis of bearing, along the south line of said Southeast Quarter (SE/4), a distance of 1320.52 feet to the POINT OF BEGINNING;

THENCE continuing South  $89^{\circ}17'53''$  West, along said south line, a distance of 60.00 feet;

THENCE North  $00^{\circ}14'09''$  West a distance of 329.00 feet;

THENCE South  $89^{\circ}17'53''$  West a distance of 601.01 feet;

THENCE North  $00^{\circ}18'05''$  West a distance of 35.00 feet;

THENCE South  $89^{\circ}17'53''$  West a distance of 659.07 feet to a point on the west line of said Southeast Quarter (SE/4);

THENCE North  $00^{\circ}10'20''$  West, along said west line, a distance of 2279.63 feet to the northwest corner of said SE/4;

THENCE North  $89^{\circ}22'08''$  East, along the north line of said Southeast Quarter (SE/4), a distance of 425.93 feet;

THENCE South  $00^{\circ}35'32''$  East a distance of 300.35 feet;

THENCE North  $89^{\circ}24'35''$  East a distance of 665.00 feet;

THENCE North  $00^{\circ}35'32''$  West a distance of 300.82 feet to a point on the north line of said Southeast Quarter (SE/4);

THENCE North  $89^{\circ}22'08''$  East, along said north line, a distance of 860.11 feet;

THENCE South  $00^{\circ}41'12''$  East a distance of 115.60 feet to a point of curvature;

THENCE Southwesterly along a curve to the right having a radius of 25.00 feet for an arc length of 39.27 feet, said curve being subtended by a chord bearing South  $44^{\circ}18'48''$  West for a chord length of 35.36 feet;

THENCE South  $89^{\circ}18'48''$  West a distance of 222.35 feet;

THENCE North  $73^{\circ}11'38''$  West a distance of 33.27 feet;

THENCE South  $89^{\circ}18'48''$  West a distance of 276.92 feet;



THENCE South 00°41'12" East a distance of 25.00 feet;

THENCE South 89°18'48" West a distance of 11.79 feet;

THENCE South 00°41'12" East a distance of 25.00 feet;

THENCE North 89°18'48" East a distance of 291.76 feet to a point of curvature;

THENCE Southeasterly along a curve to the right having a radius of 25.00 feet for an arc length of 62.61 feet, said curve being subtended by a chord bearing South 18°56'12" East for a chord length of 47.48 feet;

THENCE South 52°48'48" West a distance of 119.09 feet to a point of curvature;

THENCE Southwesterly along a curve to the left having a radius of 795.00 feet for an arc length of 326.07 feet, said curve being subtended by a chord bearing South 41°03'48" West for a chord length of 323.79 feet;

THENCE South 29°18'48" West a distance of 392.49 feet to a point of curvature;

THENCE Southwesterly along a curve to the left having a radius of 625.00 feet for an arc length of 327.25 feet, said curve being subtended by a chord bearing South 14°18'48" West for a chord length of 323.52 feet;

THENCE South 00°41'12" East a distance of 80.09 feet to a point of curvature;

THENCE Southwesterly along a curve to the right having a radius of 25.00 feet for an arc length of 39.27 feet, said curve being subtended by a chord bearing South 44°18'48" West for a chord length of 35.36 feet;

THENCE South 89°18'48" West a distance of 105.00 feet;

THENCE South 00°41'12" East a distance of 24.61 feet;

THENCE North 89°20'01" East a distance of 340.08 feet to a point on the east line of the West Half of the Southeast Quarter (W/2 SE/4);

THENCE South 00°10'19" East, along said east line, a distance of 1321.00 feet to the POINT OF BEGINNING.

Said described tract of land contains an area of 2,917,929 square feet or 66.9864 acres, more or less.

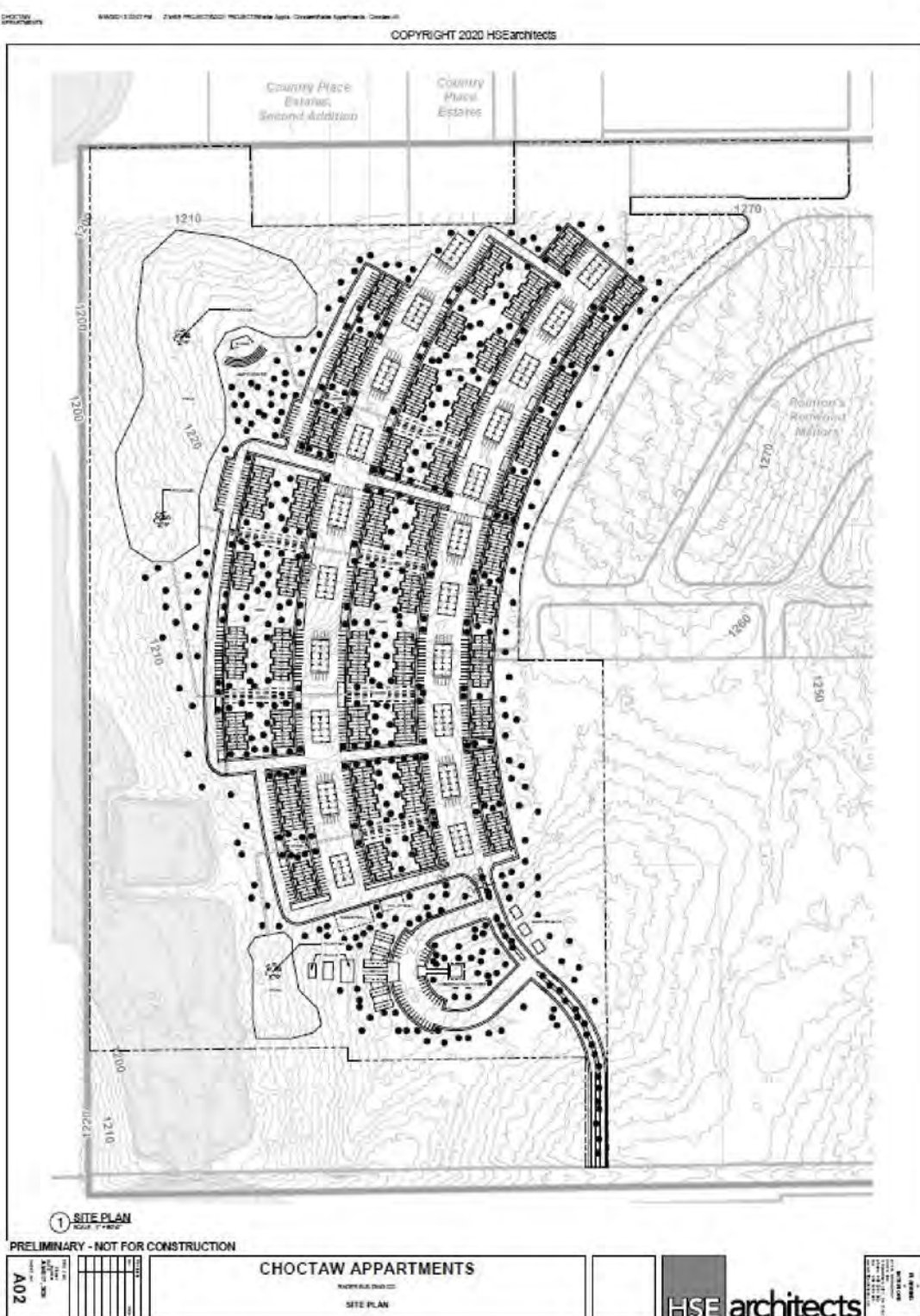
# EXHIBIT "B"

## Preliminary Project Illustration



# EXHIBIT "C"

## Topographic Map





S. ANDERSON RD.




  
**CONCEPTUAL SITE PLAN**
  
 SCALE: 1" = 80'-0"

NOT FOR CONSTRUCTION

# FOX POINTE AT CHOCTAW

RADER BUILDING CO.  
CONCEPTUAL SITE PLAN



ARCHITECTURE  
 +  
 PLANNING  
 +  
 INTERIORS  
 914 N. BROADWAY  
 OKLAHOMA CITY, OK 73102  
 PHONE: 405.228.1100  
 FAX: 405.228.1101  
 WWW.HSEARCHITECTS.COM

Revisions	No.	Date

PROJ. NO. 2141  
 DATE SEPTEMBER 27, 2021  
 SHEET NO. **A1.1**



## **Fox Pointe Amenities List**

Observation tower with incredible views  
3 Pools  
Amphitheater  
Walking trails  
Large Ponds  
Fishing Docs  
Pickleball court  
Sand Volleyball Court  
Basketball Court  
Smart Apartment features  
Extensive treed Parkland and Greenspace throughout the development  
Disc Golf Course  
Outdoor Lounge areas  
Dog Park  
Cornhole  
Picnic Areas  
Trash Valet  
Bike Share Program  
On Site Management  
24 Hour Emergency Maintenance  
Surveillance Cameras

### **Clubhouse**

Management will Hosts numerous community Events  
Outdoor kitchen/BBQ  
Gym/Fitness Center  
Yoga Studio  
Cardio Fitness Center  
Gym with extensive Weight Machines  
Theater  
Package Locker  
Resident Lounge  
Complimentary Coffee/Espresso Bar  
Arcade  
Billiards Table  
Ping Pong Table  
Common area WIFI  
Business Center

### **In Unit Amenities**



**Observation Tower and Park Area**

Fox Pointe at Choctaw





**Clubhouse Facade**  
Fox Pointe at Choctaw





**Dwellings Looking Toward Clubhouse**  
Fox Pointe at Choctaw





**Approach Toward Clubhouse & Tower**  
Fox Pointe at Choctaw





**View from Observation Deck**

Fox Pointe at Choctaw





**Dwelling Unit Facade**

Fox Pointe at Choctaw







Variance Case No. 2112027

Application Date: 12.10.2021

Cash  Check  13495 Credit Card

Received \$ 310.00 Receipt No. 91

Application Fee: \$240.00; Newspaper Publication fee: \$45.00;  
Notification Letter: \$25.00

### APPLICATION Variance

Subject Address: UNKNOWN

Applicant: Rader Development LLC Phone: 405-285-7009  
609 S. Kelly Ave. Suite L2 Edmond OK 73003  
Address City State Zip

E-mail address: Brandon@Rader.Co

Property Owner: Pointon Properties, INC. Phone: 405-285-7009  
20920 RELAND ST NEWALLA, OK 74857  
Address City State Zip

Property Zoning: C-G Code Section No.: 12-272 12-273 FP.

Reason for Variance?: A variance to the setbacks specified in the R-G District is requested seeking a 40 foot setback from each property line.

The maximum height requirements for multi-family development per the R-G "General Residential District" is 35 feet. The proposed apartment buildings will meet this maximum height requirement.

Developer is seeking a variance to provide an observation tower near the clubhouse, as an amenity for the residents which would have a maximum height of 45 feet.

The undersigned declares that the above statements and those contained in any exhibits transmitted to the Board of Adjustment are true and correct to the best of my knowledge and that I received the Policies and Procedures regulating the Variance application.

PROPERTY OWNER'S SIGNATURE: \_\_\_\_\_  
[Not necessary if there is an authorized representative. Authorized representative must sign below]

AUTHORIZED REPRESENTATIVE: I hereby certify that I am authorized to represent all of the property owners of the above described tract in the application. A power of attorney is attached.

Name: Brandon Rader / Rader Development Address: 609 S. Kelly Ave. Suite L2  
Signature: [Signature] Telephone: 405-642-5876

County Parcel Number: R168521300 and R197811300

Washer, Dryer, Fridge included in all units.

Smart Home Features. Lighting, thermostat, garage door, etc.

Quartz Counters

Stainless Steel Appliances

High-end Finishes throughout

Higher than industry standard noise reduction between units. STC Rating

Energy Efficient Design – Every unit is energy rated.

Resident Mobile App for maintenance requests, paying rent, etc.

Garage Parking

# Journal Record Publishing Company

211 N Robinson, Suite 201S

Oklahoma City, OK 73102

## PUBLISHER'S AFFIDAVIT

Page 1 of 1

Sec 12-272
12/09/2021

NUMBER

PUBLICATION DATES

### LEGAL NOTICE

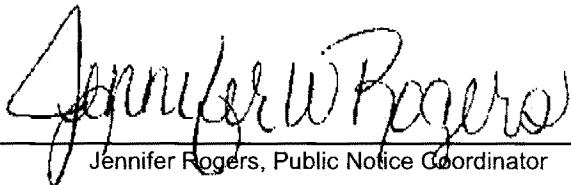
STATE OF OKLAHOMA

} S.S.

COUNTY OF OKLAHOMA

I, of lawful age, being duly sworn, am a legal representative of The Journal Record of Oklahoma City, Oklahoma, a daily newspaper of general circulation in Oklahoma County, Oklahoma, printed in the English Language and published in the City of Oklahoma City, in Oklahoma County, State of Oklahoma, continuously and uninterruptedly published in the County for a period of more than 104 consecutive weeks prior to the first publication of the attached notice, and having a paid general subscription circulation therein and with admission to the United States mails as paid second-class mail matter.

That said notice a true copy of which is attached hereto, was published in the regular edition of said newspaper during the period and time of publication and not in a supplement on the ABOVE LISTED DATE(S).

  
 \_\_\_\_\_  
 Jennifer Rogers, Public Notice Coordinator

Subscribed and sworn before me this 9th day of December, 2021

  
 \_\_\_\_\_

MaRanda Beeson, Notary Public



Comission Number: 10001243  
 My Comission Expires: 02/18/2022

(MS12059962)

### PUBLIC NOTICE

The Choctaw Board of Adjustments will consider an application for "variance" of the Specific Use Permits, Section 12- 272, at their regular meeting **December 27, 2021 at 7: 00 p.m.** at City Hall, 2500 N. Choctaw Road.

Meeting Date: December 27, 2021

Applicant: Rader Development LLC

Location: SE 15th Street and Anderson Road

Current Zoning: General Commercial District (C- G)

Variance: 12- 272, Specific Use Permits

Legal Description: CASS TOWNSHIP 000 000 PT SE4 SEC 5 11N 1W W 1/ 2 OF SE4 & NE4 OF SE4 EX THAT PT PLATTED INTO BLKS 1 THRU 9 POINTONS REDWOOD MANOR& EX BEG SW/ C LOT 22 BLK 1 COUNTRY PLACE ESTATES S300FT W665FT N300FT E665FT TO BEG EXBEG 1380. 49FT W OF SE/ C SE4 TH W1260. 65FT N364FT E660.02FT S35FT E601.01FT S329FT TO BEG& POINTONS REDWOOD MANORS 003 000 LOTS 1 THRU 9 BLK 2& LOTS 1 THRU 18& LOTS 38 THRU 40 BLK 3 POINTONS REDWOOD MANORS

Any person wishing to appear in support or in opposition to the proposed application may do so at the Public Hearing, if you feel in any way that the variance would affect you personally or your property in an adverse manner. All written protests must be filed with the City Clerk by 5:00 p.m. at least three ( 3) business days prior to the scheduled Public Hearing. Mailing address is P. O. Box 567. For further information please contact Purvi Patel, Development Services Director at Choctaw City Hall at 390-2999.

ATTEST:

Amnda Williams  
City Clerk

(12-9-21)

Order Number

12059962

Publisher's Fee

\$ 39.30

**City of Choctaw**  
**Regular Board of Adjustments Meeting**  
**October 25, 2021 @ 7:00pm**  
**Choctaw City Hall, 2500 N Choctaw Road**  
**Choctaw, Oklahoma 73020**

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**MINUTES**

1. Call to Order by **Ray Sikes @ 7:00 p.m.**
2. Invocation and Pledge of Allegiance given by **Ray Sikes**
3. **Roll Call:**
  - 3 **Present:** **Ray Sikes; Loyd DeShazo; Mike Potts**
  - 1 **Absent:** **Brandon Clabes**

**Staff:** **Purvi Patel, Development Services Dir./City Planner**  
**Amanda Valent, City Clerk**
4. **Business Agenda:** The following items are hereby designated for discussion and consideration which requires individual action.
  - 4.1 Conduct public hearing to solicit general public input regarding an application requesting a “variance” of the Area and Height Regulations, Section 12-287 and Section 12-283.

<b>Applicant:</b>	Cora Curtis
<b>Location:</b>	16092 and 16198 NE 23 <sup>rd</sup> Street Service Rd
<b>Current Zoning:</b>	Single Family Residential District (R-S) and General Commercial District (C-G)
<b>Variance:</b>	12-287, Area Regulations and 12-283, Area Regulations
<b>Legal Description:</b>	UNPLTD PT SEC 30 12N 1E 000 000 PT SEC 30 12N 1E BEG 600FT E OF NW/C NW4 TH E600FT S1452FT W600FT N1452FT TO BEG EX N85FT TO STATE & EX A THAT PT OF A TR BEG 1179.35FT E & 85FT S NW/C SEC 30 TH S315.82FT E78FT N315.81FT W76.9FT TO BEG

& EX BEG 1200FT E & 233.53FT S OF NW/C  
NE4 TH W182.33FT S296.12FT E263.83FT  
N224FT W12FT N82.29FT TO BEG SUBJ TO  
ESMTS OF RECORD

**Open public hearing – 7:01 pm**

**Receive Comments – None.**

**Close public hearing – 7:08 pm**

**4.1.1** Consideration and possible action on the “variance” request of Cora Curtis, 16092 and 16198 NE 23<sup>rd</sup> Street Service Road.

**MOTION BY Mike Potts and SECOND BY Loyd DeShazo to approve the variance as presented.**

**MOTION CARRIED:**

**3 Ayes: Sikes; DeShazo; Potts**

**0 Nays: None**

**1 Absent: Clabes**

**4.2** Regular meeting minutes for June 28, 2021.

**MOTION BY Loyd DeShazo and SECOND BY Mike Potts to approve the minutes as presented.**

**MOTION CARRIED:**

**3 Ayes: Sikes; DeShazo; Potts**

**0 Nays: None**

**1 Absent: Clabes**

**5. Commissioner/Staff Remarks:** This item is listed to provide an opportunity for the commissioners and/or staff to make comments and/or request specific agenda items. No action will be taken.



**Development Service Director Patel asked the board if they would like to keep the meeting start time at 7:00 pm or move to 6:00 pm. Consensus of the board is to move the start time of meetings to 6:00 pm. The 2022 Meeting Calendar will reflect a start time of 6:00 pm.**

- 6. Adjournment:  
Called @ 7:14 p.m.**

**ATTEST:**

**BOARD OF ADJUSTMENTS**

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Amanda Williams, City Clerk

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Ray Sikes, Chairman