

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

September 19, 2002

1:30 p.m.

The meeting of the Oklahoma County Planning Commission convened and was called to order by Mr. Will K. Jones, at 1:30 p.m., in Room 103, Oklahoma County Office Building, 320 Robert S. Kerr, with the following individuals present:

Mr. Will K. Jones, Chairman
Mr. David Richey, Member
Mr. Dee Wynn, Member
Mr. Curtis Roberts, Member
Mr. Charlie Thomason, Member

Also in attendance:

Mr. Tyler Gammon, Jr., Secretary
Ms. Ruth Walters, Planner

The Planning Commission Secretary, Mr. Tyler Gammon, Jr., called roll and a quorum was declared.

Mr. Jones wished to thank Ms. Dorrance for sitting in as Chair during his absence.

Mr. Richey made a motion to approve the minutes from the previous meeting of August 15, 2002 with the deletion of his name, as he was not present. Mr. Roberts seconded the motion. Vote taken: Wynn – Aye; Richey – Aye; Roberts – Aye; Thomason – Aye; Jones – Aye. The minutes for the meeting of August 15, 2002 were approved.

Deferred Item Final Plat: (FP 03-02) Southerly Farms, Sec IV

Applicant:

JOHN D. ALEXANDER d.b.a.
SOUTHERLY FARMS L.L.C.

The applicant proposes to develop the fourth phase of a 132-acre tract that is a private road, gated subdivision for single-family residences. This phase contains 20 lots on 17.93 acres. The following is the legal description of the property:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER (SW/4), OF SECTION 8, TOWNSHIP FOURTEEN (14) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, OKLAHOMA COUNTY, OKLAHOMA AND BEING MORE DESCRIBED AS FOLLOWS: BEGINNING AT A POINT OF SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP FOURTEEN NORTH, RANGE THREE WEST OF THE INDIAN MERIDIAN, SAID POINT BEING THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING NORTH 89°39'18" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 753.26 FEET TO A POINT ON THE SOUTHWEST CORNER OF SOUTHERLY FARMS – SECTION III; THENCE NORTH 00°20'42" EAST ALONG THE EAST LINE OF LOT 31, BLOCK 4, SOUTHERLY FARMS – SECTION III, A DISTANCE OF 310.00 FEET; THENCE NORTH 89°39'18" WEST ALONG THE NORTH LINE OF GRACE'S TERRACE

RIGHT-OF-WAY LINE OF SOUTHERLY FARMS – SECTION III, A DISTANCE OF 35.14 FEET; THENCE NORTH 00°20'42" EAST ALONG THE EAST LINE OF LOT 14, BLOCK 8, SOUTHERLY FARMS – SECTION III, A DISTANCE OF 180.00 FEET; THENCE SOUTH 89°39'18" EAST ALONG THE SOUTH LINE OF LOTS 1 AND 2, BLOCK 8, SOUTHERLY FARMS – SECTION III, A DISTANCE OF 345.29 FEET; THENCE NORTH 00°01'04" WEST ALONG THE EAST LINE OF LOTS 2 THRU 5, BLOCK 8, SOUTHERLY FARMS – SECTION III, A DISTANCE OF 698.86 FEET; THENCE NORTH 52°26'26" WEST ALONG THE NORTHEAST LINE OF LOT 5, BLOCK 8, SOUTHERLY FARMS – SECTION III, A DISTANCE OF 74.21 FEET; THENCE NORTH 37°33'34" EAST ALONG THE SOUTHEAST LINE OF SOUTHERLY FARMS BLVD. RIGHT-OF-WAY LINE OF SOUTHERLY FARMS – SECTION III, A DISTANCE OF 275.64 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 70.00 FEET AND A CENTRAL ANGLE OF 39°53'36"; THENCE CONTINUE ALONG THE SOUTHEAST LINE OF SAID RIGHT-OF-WAY LINE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 48.74 FEET; THENCE SOUTH 51°16'57" EAST ALONG THE SOUTHWEST LINE OF SAID RIGHT-OF-WAY LINE, A DISTANCE OF 39.00 FEET; THENCE SOUTH 00°01'04" EAST ALONG THE WEST LINE OF LARA'S LANE RIGHT-OF-WAY LINE OF SOUTHERLY FARMS – SECTION III, A DISTANCE OF 56.44 FEET; THENCE NORTH 89°58'56" EAST ALONG THE SOUTH LINE OF LOT 18, BLOCK 4, SOUTHERLY FARMS – SECTION III, A DISTANCE OF 260.00 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00°01'04" EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1,400.17 FEET TO THE POINT OR PLACE OF BEGINNING. CONTAINING 781,323.24 SQUARE FEET OR 17.937 ACRES, MORE OR LESS.

**LOCATION: N. PENN. AVE AND COFFEE CREEK ROAD (NW 220TH)
COUNTY HIGHWAY DISTRICT #3**

Mr. Gammon gave the Staff Report stating that there were no changes to the Staff Report from the previous meeting. He stated that he had had several telephone calls from the members of the Homeowner's Association stating that there was progress being made. Mr. Gammon stated that Staff had taken pictures of the improvements being made; he passed them among the Planning Commission members.

Ms. Sally Hill, President of the Homeowner's Association stated they had received a letter from Mr. Alexander. She passed copies to the Board. She stated that they were pleased with the progress Mr. Alexander had made in taking care of the erosion in the ponds, sod, sprinklers, etc. Ms. Hill thanked the Board for listening to the concerns of the homeowners.

Mr. Richey stated that Mr. Alexander should be commended for the way he worked with the homeowner's association.

Mr. Richey made a motion to approve the final plat for Southerly Farms Section IV. Mr. Roberts seconded the motion. Vote taken: Wynn – Aye; Richey – Aye; Roberts – Aye; Thomason – Aye; Jones – Aye. Unanimously, the item was approved.

Final Plat: (FP 06-02) WHISPER CREEK, SECTION 2

Application of:

**MIKE DAVIDSON dba
DAVIDSON DEVELOPMENT**

The applicant proposes to develop the second phase of a single-family residential subdivision. This phase consist of 5 lots on 5.1174 acres. Each lot will be one (1) acre or greater in size with individual water wells and septic systems. The following is the legal description of the property:

A part of the N/2, SW/4, NW/4, Section 9, T11N, R1E of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the SW Corner of said N/2, SW/4, NW/4, Section 9, Thence N89°36'43"E a distance of 50.00 feet to the point of beginning; Thence N00°00'00"E and along the East right-of-way line of Peebly Road a distance of 299.28 feet; Thence N89°48'21"E and along the South right-of-way line of Whisper Creek Drive a distance of 747.51 feet; Thence S00°11'39"E and along the West line of Lot 12, Block 1, in Whisper Creek Section 1, a distance pf 296.74 feet; Thence S89°36'43"W a distance of 748.53 feet to the point of beginning, containing 5.1174 acres, more or less.

Location: East Side S. Peebly Road between SE 15th and SE 29th (Hwy District #2)

Mr. Gammon gave the Staff Report stating that there had been a dispute about the boundaries with the property owner to the East. Mr. Davidson has since worked that problem out.

Mr. Thomason made a motion to approve the final plat for Whisper Creek section II. Mr. Thomason seconded the motion. Vote taken: Wynn – Aye; Richey – Aye; Roberts – Aye; Thomason – Aye; Jones – Aye. The item was approved unanimously.

Zoning: (Z 07-02)

From: AA - Agricultural & Rural Residential District

To: RA - Acreage Residential District (Proposed Tuscany Addition)

Application of: **RICK DRAPEAU**

The applicant proposes to develop a single-family residential subdivision with homes restricted to a minimum size of 2,000 square feet. Each lot will be one (1) acre or greater in size with individual water wells and aerobic septic systems. The following is the legal description of the property:

COMMENCING AT THE SOUTHEAST CORNER OF THE SE/4 OF SECTION 6, T14N-R3W, I.M., OKLAHOMA COUNTY, OKLAHOMA; THENCE N89°04'50" ALONG THE SOUTH LINE OF THE SE/4 OF SCTION 6 A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUNG N89°04'50"W ALONG THE SOUTH LINE OF SAID SE/4 A DISTANCE OF 970.87 FEET TO THE SOUTHWEST CORNER OF THE SE/4-SE/4; THENCE N00°02'47"W ALONG THE WEST LINE OF THE SE/4-SE/4 OF SECTION 6 A DISTANCE OF 1325.58 FEET TO THE NORTHWEST CORNER OF SAID SE/4-SE/4; THENCE S88°55'52"E ALONG THE NORTH LINE OF SAID SE/4-SE/4 A DISTANCE OF 1322.00 FEET TO THE NORTHEAST CORNER OF SAID SE/4-SE/4; THENCE S00°00'00"E ALONG THE EAST LINE OF SAID SE/4-SE/4 A DISTANCE OF 1022.11 FEET; THENCE N89°04'50"W AND PARALLEL WITH THE SOUTH LINE OF SAID SE/4 A DISTANCE OF 350.00 FEET; THENCE S00°00'00"E AND PARALLEL WITH THE EAST LINE OF SAID SE/4 A DISTANCE OF 300.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SE/4 AND THE POINT OF BEGINNING AND CONTAINING 37.74 ACRES AND SUBJECT TO ANY EASEMENTS AND RIGHTS OF WAYS OF RECORD.

LOCATION: NW 234TH & PENNSYLVANIA AVE. (COUNTY HWY DISTRICT#3)

Mr. Gammon gave the Staff Report stating that the applicant wanted to rezone to RA and develop a one-acre subdivision. The lots will have individual well and septic; aerobic systems are being considered, with ODEQ's approval.

Mr. Warren Peacock, the engineer representing the applicant was available for questions. He stated that they had not received any protests.

Mr. Jones asked if there was a water well on the property.

Mr. Peacock stated that it was the City of Piedmont's water well. He stated that they had not heard any adverse comments.

Mr. Jones asked if there had been testing drilling.

Mr. Peacock had not done any drilling to date.

Mr. Wynn made a motion for approval of rezoning from AA to RA. Mr. Richey seconded the motion. Vote taken: Wynn – Aye; Richey – Aye; Roberts – Aye; Thomason – Aye; Jones - Aye. The application for rezoning was approved unanimously.

General Plat: (GP 04-02) TUSCANY ADDITION

APPLICATION OF: **RICK DRAPEAU**

The applicant proposes to develop a single-family residential subdivision with homes restricted to a minimum size of 2,000 square feet. If approved, the lots will have restrictive covenants that will assure a quality development. Each lot will be one (1) acre or greater in size with individual water wells and aerobic septic systems. The following is the legal description of the property:

COMMENCING AT THE SOUTHEAST CORNER OF THE SE/4 OF SECTION 6, T14N-R3W, I.M., OKLAHOMA COUNTY, OKLAHOMA; THENCE N89°04'50" ALONG THE SOUTH LINE OF THE SE/4 OF SECTION 6 A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N89°04'50"W ALONG THE SOUTH LINE OF SAID SE/4 A DISTANCE OF 970.87 FEET TO THE SOUTHWEST CORNER OF THE SE/4-SE/4; THENCE N00°02'47"W ALONG THE WEST LINE OF THE SE/4-SE/4 OF SECTION 6 A DISTANCE OF 1325.58 FEET TO THE NORTHWEST CORNER OF SAID SE/4-SE/4; THENCE S88°55'52"E ALONG THE NORTH LINE OF SAID SE/4-SE/4 A DISTANCE OF 1322.00 FEET TO THE NORTHEAST CORNER OF SAID SE/4-SE/4; THENCE S00°00'00"E ALONG THE EAST LINE OF SAID SE/4-SE/4 A DISTANCE OF 1022.11 FEET; THENCE N89°04'50"W AND PARALLEL WITH THE SOUTH LINE OF SAID SE/4 A DISTANCE OF 350.00 FEET; THENCE S00°00'00"E AND PARALLEL WITH THE EAST LINE OF SAID SE/4 A DISTANCE OF 300.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SE/4 AND THE POINT OF BEGINNING AND CONTAINING 37.74 ACRES AND SUBJECT TO ANY EASEMENTS AND RIGHTS OF WAYS OF RECORD.

LOCATION: NW 234TH & PENNSYLVANIA AVE. (COUNTY HWY DISTRICT#3)

Mr. Gammon gave the Staff Report stating that was the same information as the previous item.

Mr. Jones asked if Mr. Peacock had any additional comments.

Mr. Peacock stated that Mr. Drapeau wanted to make this an upscale development with large homes and possibly water features.

Mr. Richey asked if ponds or water features would be under the homeowners association.

Mr. Peacock stated that he was not sure whether or not it would be part of the homeowners association or part of the lots. The covenants and restrictions are in draft stage.

Ms. Walters stated there is a natural drainage area on the West side of the property. She asked what the plans were for the natural drainage area.

Mr. Peacock stated that the ponds or lakes would be in that area, which will not only help with the beautification, but also help with sedimentation and erosion control.

Mr. Jones asked where the drainage flows.

Mr. Peacock stated he was not sure where it drained; possibly to a small creek not located in the immediate vicinity.

Mr. Thomason made a motion to approve the general plat for the Tuscan Addition. Mr. Richey seconded the motion. Vote taken: Wynn – Aye; Richey – Aye; Roberts – Aye; Thomason – Aye; Jones – Aye. The item approved unanimously.

Discussion and possible action concerning additional bonding for a cul-de-sac in Woodmark Estates, Section 4 (SE 39th St.).

Mr. Gammon stated that Woodmark Estates was a subdivision platted in 1988 by Mr. Cumby. He failed to file phases three through five. Since then, two gentlemen purchased the property have proposed finishing the development. Roads will be built to current County road standards. The County superintendent for that area observed the cul-de-sac had problems. The road was dug up to lay the asphalt again. However, the contractor did not wait for the superintendent's approval before the asphalt was laid again. The superintendent refused to sign off on the road without knowing whether or not it was done correctly. The only way to make it "good" would be to put up a bond to cover any maintenance on the cul-de-sac road for additional two years term. The bond was provided for the Board of County Commissioners acceptance.

There was discussion among the members; some feelings were that the bond should be longer than two years.

Mr. Richey made a motion to suggest to the Board of County Commissioners to accept a four-year bond or for the developer to tear out the road and try again. Mr. Roberts seconded the motion. Vote taken: Wynn – Aye; Richey – Aye; Roberts – Aye; Thomason – Aye; Jones – Aye. The item was approved to go to the Board of County Commissioners for approval.

August 2002 Fee Fund Report:

Mr. Gammon reported the fees collected for August 2002 were \$6,859.54. Mr. Richey made a motion to accept the report. Mr. Wynn seconded the motion. Vote taken: Wynn – Aye; Richey – Aye; Roberts – Aye; Thomason – Aye; Jones - Aye. The motion was approved to accept the Fee Fund Report for August 2002.

Other Business:

- Mr. Jones asked Mr. Gammon to check out the pumping units and tanks are in the Tuscan Addition.
- Mr. Gammon stated that he had mylars to be signed for West Winds II at Settler's Crossing.
- Mr. Gammon stated that there was a maintenance bond and a letter of credit for erosion control for Settler's Crossing for the Board of County Commissioners acceptance.

Mr. Roberts made a motion to suggest to the Board of County Commissioners to accept a two-year bond for roads and a Letter of Credit for erosion control for Settler's Crossing. Mr. Richey seconded the motion. Mr. Thomason recused himself in voting due to conflict of interest. Vote taken: Wynn – Aye; Richey – Aye; Roberts – Aye; Thomason – Recused; Jones – Aye. The item was approved to go to the Board of County Commissioners for approval.

Adjournment:

Mr. Roberts motioned for adjournment. Mr. Wynn seconded the motion. Vote taken: Wynn – Aye; Richey – Aye; Roberts – Aye; Thomason – Aye; Jones – Aye.

The meeting was adjourned at 3:00 P.M.