

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

June 17, 2004

1:30 p.m.

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

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

Also in attendance:

Mr. Tyler Gammon, Jr., Planning Secretary
Ms. Ruth Walters, County Planner
Mr. Ray Reaves, P.E., D.E.E., County Engineer
Ms. Gretchen Crawford, Assistant District Attorney

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

Mr. Wynn motioned approval of the minutes from the meeting of May 20, 2004. Mr. Jones seconded the motion. Vote taken: Wynn – Aye; Thomason – Aye; Jones – Aye; Richey – Aye. The minutes for the meeting of May 20, 2004, were approved.

Annual Election of Officers: (Chair & Vice Chair)

Mr. Richey opened the floor for nominations for Chairperson.

Mr. Jones nominated Cheryl Dorrance as Chairperson. Mr. Thomason seconded the nomination. Vote taken: Wynn – Aye; Thomason – Aye; Jones – Aye; Richey – Aye. All agreed for Ms. Dorrance as Chairperson.

Mr. Wynn nominated Emil Vorel as Vice Chairperson. Mr. Jones seconded the nomination. Vote taken: Wynn – Aye; Thomason – Aye; Jones – Aye; Richey – Aye. All agreed for Mr. Vorel as Vice Chairperson.

Since neither the new Chairperson nor the new Vice Chair were present, Mr. Richey continued as acting Chairperson.

Deferred Item:

**Zoning: (PUD-2004-02) From: AA – Agricultural and Rural Residential District
To: Planned Unit Development (IU – Industrial District)**

Applicant:

DPI PROPERTIES

The applicant proposed developing an industrial park on approximately 120 acres with general uses of an Urban Industrial (IU) District. The following is the legal description of the property:

Tract "A"

The Southeast Quarter (SE/4) of Section Twenty-Three (23), Township Fourteen (14) north, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma. Less and except one tract of land being more particularly described as follows:

Less & Except

Tract "B"

The Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of Section Twenty-Three (23), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma.

Location: NW 192nd & N. Portland Ave. County Highway District # 3

Mr. Gammon gave the Staff Report stating that the item was deferred last month to allow the developer and the engineer to work out some items with Staff and the Board. Mr. Gammon stated that they had meetings and phone conversations with the developer regarding fencing, landscaping, and types of uses. He stated that Staff felt satisfied that any special uses would require approval from the Board.

Mr. Bryan Coon, representing the applicant, stated that deceleration lanes, landscaping items, and no exposed metal buildings (coated for appearance sake) would be included.

Mr. Thomason asked if they had decided on a proposed use.

Mr. Coon stated that at that point they had not.

Mr. Jones stated that in the past, a developer had always been able to tell the Board what they were going to use it for.

Mr. Coon stated that at this point they are going to build office/warehouse type facilities. He stated that they would probably provide a preliminary plat within a few months. Mr. Coon also stated that the developer did not want to go through the expense unless the property was zoned properly.

Mr. Jones stated that he would like to see the signs no higher than 25' and the roads maintained by the development.

Mr. Jones asked that if the developer would have a problem with a reversion clause; reverting back to the original zoning after five (5) years if no development was begun.

Mr. Coon stated that he would rather not, but if it was a stipulation in the zoning, he would have to talk to the developer. He stated that this property was unique because it had a sewer plant to the north and west; that there would never be any residential development on this property. They believed that it would be the perfect spot for industrial use facilities.

Mr. Jones stated that he agreed that the industrial would be fitting. However, he did not want to regret the decision if the PUD was approved. There were several things that he did not see in the PUD that prevented him from voting in favor of the item. He stated that he did not think that the landscaping was sufficient, there should be landscaped berms on 192nd and Portland, signage should be monumental only on 192nd and a maximum of 25 foot pole signs in Portland. The interior streets needed to be privately maintained.

Mr. Coon stated that this development had the potential to generate a lot of tax money, and therefore should be county maintained.

Mr. Richey asked if the applicant had met all the requirements set by Oklahoma County.

Mr. Gammon stated yes, the applicant had met all the requirements. Specifics could be made in the resolution for the Board of County Commissioners approval; however, the specifics would need to be in the design statement as well.

Ms. Walters stated that the rules for this development as far as signage, berms, lighting, landscaping, roads etc. would be in the design statement, which is basically approved or disapproved at the PUD zoning stage. The design statement would not be a deciding factor in the platting stages of the development.

Mr. Jones asked Mr. Reaves about the difference between private and county road ownership in an industrial park.

Mr. Reaves stated that it would have to be a decision that is made by the Board of County Commissioners; whether or not to accept the roads for maintenance. He stated that regardless of whether they were private or county maintained roads, they would still have to be built to county standards.

Mr. Gammon stated that the roads could be asphalt or concrete.

Mr. Jones asked how much of the tax money generated in an industrial area actually ended up spent in our county roads.

Ms. Walters stated that all county road money is generated from fuel tax.

Mr. Coon asked for a one month deferral.

Mr. Richey asked for a vote for deferral of this item until the next meeting. Vote taken: Jones – Aye; Wynn – Aye; Thomason – Aye; Richey – Aye. The item was deferred.

Final Plat: (FP-2004-07) SCISSORTAIL LANDING 2nd ADDITION

Applicant: **SHAZ INVESTMENT GROUP, INC.**

The applicant proposed developing a single-family, residential subdivision with several amenities such as common areas, a pond and a walking trail. This second phase would consist of 52 homes on 14.5734 acres. Deer Creek Water Corporation would provide water and Oklahoma City would provide sanitary sewer. The following is the legal description of the property:

A part or parcel of land located in the Southeast Quarter (SE/4), Section 18, Township 14 North (T-14-N), Range 3 West (R-3-W), of the Indian Meridian, Oklahoma County, Oklahoma and more particularly described as follows:

Commencing at the Northeast corner of said Southeast Quarter, Thence North 89°11'57" West along the North line of said Southeast Quarter (SE/4) a distance of 777.80 feet to the Point or Place of Beginning, Thence South 50°09'20" West a distance of 438.85 feet; Thence South 39°50'40" East a distance of 160.00 feet; Thence North 50°09'20" East a distance of 8.65 feet; Thence South 39°50'40" East a distance of 110.00 feet; South 50°09'20" West a distance of 16.29 feet; Thence South 24°24'11" East a distance of 135.41 feet; Thence South 20°24'07" East a distance of 50.00 feet; Thence South 69°35'53" West a distance of 56.84 feet; Thence South 24°35'53" West a distance of 35.36 feet; Thence South 20°24'07" East a distance of 49.75 feet to a point on curve in a Southeasterly direction having a radius of 320.00 feet with an arc distance of 35.32 feet, said curve being subtended by a Chord Bearing of South 23°33'51" East and a Chord distance of 35.30 feet; Thence South 63°16'25" West a distance of 60.00 feet to a point on a curve to the right in a Southeasterly direction having a radius of 380.00 feet with an arc distance of 13.52 feet; said curve being subtended by a Chord Bearing of South 27°44'44" East and a Chord distance of 13.52 feet; Thence South 61°14'08" West a distance of 102.18 feet; Thence North 36°56'45" West a distance of 45.46 feet; Thence North 20°24'07" West a distance of 211.72 feet; Thence South 69°35'53" West a distance of 160.00 feet; Thence North 20°24'07" West a distance of 15.72 feet; Thence South 69°35'53" West a distance of 115.92 feet; Thence North 31°08'55" West a distance of 40.27 feet; Thence North 57°53'53" West a distance of 237.57 feet; Thence North 82°22'47" West a distance of 134.06 feet; Thence North 00°07'55" East a distance of 62.38 feet; Thence North 90°00'00" West a distance of 79.00 feet; Thence North 00°07'55" East a distance of 124.00 feet; Thence North 90°00'00" East a distance of 79.00 feet; Thence North 00°07'55" East a distance of 84.36 feet; Thence North 89°52'05" West a distance of 134.66 feet; Thence North 74°41'05" West a distance of 59.29 feet; Thence North 89°57'29" West a distance of 20.00 feet; Thence North 00°02'31" East a distance of 281.06 feet to a Point on the North line of said Southeast Quarter (SE/4); Thence South 89°11'57" East along said North line of said Southeast Quarter (SE/4) a distance of 1200.17 feet to the Point or Place of Beginning.

Containing 14.5734 acres, more or less.

Location: ¼ North of NW 206th (Covell Rd.) West side of North Pennsylvania Ave
(County Highway District #3)

Mr. Gammon gave the Staff Report stating that this would be the second phase of Scissortail Landing.

Mr. Barry Rice represented the applicant. He stated that Ms. Dorrance had a concern with the agreement with Deer Creek Water regarding water wells. He stated that they had met with the Deer Creek Water director and engineer; they do have a water rights agreement and have agreed upon three (3) water well locations. Mr. Rice stated that he

would provide Mr. Gammon a copy of the agreement as soon as he received it from Deer Creek Water.

Mr. Wynn made a motion to approve, upon receipt of the agreement with Deer Creek Water. Mr. Jones seconded the motion. Vote taken: Jones – Aye; Wynn – Aye; Thomason – Aye; Richey – Aye. The item was approved

**Zoning: (PUD-2004-03) From: AA – Agricultural and Rural Residential District
To: Planned Unit Development (RS – Urban Single Family Residential)**

Applicant: **GOOSE CREEK, LLC**

The applicant proposed developing an urban, single-family, residential subdivision with 124 homes on 141.2 acres. The amenities would include a walking trail and two existing ponds. The following is the legal description of the property:

A parcel or tract of land lying in the Northeast Quarter (NE/4) of Section 15, Township Fourteen North (T-14-N), Range Four West (R-4-W) of the Indian Meridian, Oklahoma County, Oklahoma and being more particularly described as follows: Beginning at a point on the Northeast Quarter (NE) corner of said Northeast Quarter (NE/4), said point being the Point of Beginning; thence South 00°10'41" East along the East line of said Northeast Quarter (NE/4), a distance of 2,640.93 feet; thence South 89°53'57" West along the South line of said Northeast Quarter (NE/4), a distance of 2,659.85 feet; thence North 00°03'51" West along the West line of said Northeast Quarter (NE/4), a distance of 1,632.21 feet; thence North 71°10'25" East, a distance of 1,098.14 feet; thence North 00°02'05" East, a distance of 660.00 feet to a point on the North line of said Northeast Quarter (NE/4), thence South 89°57'55" East along the North line of said Northeast Quarter (NE/4), a distance of 1,613.68 feet to the Point or Place of Beginning. Containing 6,154,687.89 square feet or 141.2922 acres, more or less.

Location: NW 220th & Meridian Ave (County Highway District #3)

Mr. Gammon gave the Staff Report stating that this item was previously brought before the Board and withdrawn because the Board members felt that it was too dense for the area. It had since been revised; the lots are larger and more comparable to the lot sizes in the Villagio subdivision, located on the adjacent property to the East. Mr. Gammon showed an aerial photo of the area. He stated that they had received four (4) protest letters.

Mr. Barry Rice, representing the applicant, stated that looking at the two developments, Villagio and Goose Creek, the overall house per acre ratio would be extremely close; Villagio at 1.46 (units):1 (acre) and Goose Creek approximately 1.13 (units):1 (acre). He stated that the Cedar Ridge development on MacArthur is 1.3 (units):1 (acre). Mr. Rice made several other points regarding the development:

- Density comparable with other subdivisions in the area
- Benefiting the Deer Creek School District with a location for a new school
- Duke Pipeline information is incorrect and the general plat may change some before the preliminary plat

- Private roads and a homeowners association
- Aerobic systems
- Agreement with Deer Creek Water would establish service

Mr. Richey asked if the Deer Creek School system was definitely going to build.

Deer Creek School representatives were present for comments.

Mr. Kent Penson, Deer Creek School Board Member, stated that they would definitely build the school, provided plat approval. He stated that it was the proposed site for the third elementary school. He stated that the other two elementary schools were at capacity, and the school board had resorted to using portable buildings for added classroom space. Mr. Penson also stated that it was very tedious locating a new school site because of the lack of infrastructure; there were only two places in Deer Creek that had adequate water capacity; the proposed site and the main campus site. He stated that they had approached the previous owner about purchasing a part of the property, but the previous owner was only willing to sell the entire property. They had an agreement with Mr. Alexander to purchase the piece of property for the school. Mr. Penson stated that Mr. Alexander probably could not justify purchasing the property if he could not get a plat approved for the site. School districts are prohibited from spending money off-site so they had to find property with preexisting water and sewer lines, or work out a deal with the developer to run the lines. Mr. Penson confirmed that they were ready to pursue building.

Mr. Reaves asked about the sewage for the school.

Mr. Penson stated that they would either have a lagoon or an aerobic system. They were having trouble finding someone that had done an aerobic system for a school.

Ms. Jan Beals-Larson, President, Deer Creek Schools, wanted to encourage approval of the PUD and the general plat.

There were a few protestors present.

Mr. Steve Bailey, area resident, stated that he was supportive in the fact that Deer Creek does need a school, somewhere, and had no opposition to a development of some kind and the school on the proposed property, however his concerns were:

- Density
- The lack of infrastructure
- Additional traffic
- Fire Services
- Sewage: odor, saturation of the ground
- Water pressure

Mr. Tom Bricker, area resident, stated that Deer Creek was offered a piece of the property at Villagio, why didn't they take that offer.

Mr. Penson stated that they were not offered a suitable site. The site offered was not large enough, had floodplain issues, and was too costly.

Mr. Jones stated that he was very concerned with the density and felt like they still needed to lower the density. He also stated that he did not think that the proposal sounded like a PUD by putting trails around existing ponds, and fences around tank batteries and oil wells.

Mr. Thomason asked if there would be something in the comprehensive plan that would preserve and protect the rural areas. He stated that he felt that just because there was a development just like it across the street did not mean that the Planning Commission had to approve a new one.

Mr. Jones motioned for denial of the PUD zoning. No second, the motion died.

Mr. Rice asked for the PUD and the companion item, general plat, to be continued.

Ms. Crawford offered concern of a continuance because of the hardship it caused for the protestors to come to the meetings.

Mr. Richey asked for a vote on a continuance for both items until the next meeting. Vote taken: Jones – Abstained; Wynn – Aye; Thomason – Aye; Richey – Aye.

Revised General Plat: (RE-2004-04) GOOSE CREEK

Applicant: **GOOSE CREEK, LLC**

The applicant proposed developing an urban, single-family, residential subdivision with 124 homes on 141.2 acres. The amenities would include a walking trail and two existing ponds. The following is the legal description of the property:

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Location: NW 220th & Meridian Ave (County Highway District #3)

Item was continued until the next meeting.

May 2004 Fee Fund Report:

Mr. Gammon reported the fees collected for May 2004 were \$34,698.85. Mr. Thomason made a motion to accept the report. Mr. Wynn seconded the motion. Vote taken: Jones – Aye; Wynn –

Aye; Thomason – Aye; Richey – Aye. The motion was approved to accept the Fee Fund Report for May 2004.

Other Business:

Mr. Gammon wanted to congratulate Cheryl Dorrance since the Board of County Commissioners had approved the resolution for her to serve as a Planning Commission member for another six (6) years. Mr. Gammon stated that Ms. Dorrance had been on the Planning Commission since 1984.

Adjournment:

Mr. Wynn motioned for adjournment. Mr. Thomason seconded the motion. Vote taken: Jones – Aye; Wynn – Aye; Thomason – Aye; Richey – Aye. The meeting was adjourned at 3:30 p.m.

Approved this _____ day of _____, 2004.

**OKLAHOMA COUNTY
PLANNING COMMISSION**

David Richey, Acting Chairperson

ATTEST:

Tyler Gammon, Jr., Secretary