

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

March 17, 2005 1:30 p.m.

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

Ms. Cheryl Dorrance, Chairperson
Mr. Charlie Thomason, Vice Chairperson
Mr. David Richey, Member
Ms. Janet Price, Member
Mr. Roger Holloway, 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.

Ms. Dorrance asked that staff check the tape for the motion and second on the approval of the minutes of the previous meeting on February 17, 2005 and make corrections.

Mr. Thomason motioned approval of the minutes from the meeting of February 17, 2005 as corrected. Mr. Richey seconded the motion. Vote taken: Price – Aye; Thomason – Aye; Dorrance – Aye; Richey – Aye; Holloway – Aye. The minutes for the meeting of February 17, 2005, were approved as corrected.

Continued Item:

Zoning: (PUD-2005-01) From: AA-Agricultural and Rural Residential District
To: Planned Unit Development (PUD-2005-01)

Applicant: **OKLAHOMA COUNTRY ROADS, LLC**

The applicant proposes developing a single-family, residential subdivision with a total 440 lots, of various sizes, on 147.58 acres. 6.32 acres are set aside for commercial use to serve the neighborhood. The addition will also set aside 18% of the tract for common areas and ponds as amenities. The following is the legal description of the property:

**The Northeast Quarter (NE/4) of Section 19, Township 14 North, Range 3 West of
the Indian Meridian, Oklahoma County, Oklahoma.**
Location: South of NW 206th and West of N. Pennsylvania Ave.
(County Highway District #3)

Mr. Gammon gave the Staff Report stating that there had been a change since members had received the reports in the mail. He also stated that Staff had received seven (7) additional protest letters.

The Board took a few minutes to review the Staff report and protest letters that were unable to be sent prior to the meeting.

Mr. Dennis Box, representing the applicant, showed an exhibit of the area of the proposed development explaining that they would have water and sewer. He stated that it would be a typical single family subdivision containing approximately three (3) or less homes per acre and twenty (20) acres of common space. Mr. Box stated that they had met with the surrounding homeowners and the meeting did not go well.

Mr. William P. Garrett, applicant, stated that he had looked at the area prior to purchase of this property to determine whether or not it would be compatible with its surroundings and thought that it would be suitable for building a nice community.

Ms. Rebecca Wilkinson, representing Deer Creek Schools, stated that she was not only there to speak about the development but growth in general in the Deer Creek Schools area. She stated that the schools are one of the reasons that the area is growing at such an accelerated pace; but the schools cannot keep up with the accelerated growth. She asked that the board consider that the schools are part of the infrastructure for the community when deciding on approving or denying proposed subdivisions in the area.

Ms. Dorrance stated that the proposed subdivision would actually be located in the Edmond School District rather than the Deer Creek School District.

There were many protestors present including: Mr. Dustin Marina, Mr. Brad Elder, Mr. Jim Johnson, Mr. David Gibbon, Mr. Roy Brock, Ms. Virginia Aldridge, and Mr. Lee Rice. All of the protestors had the same concerns as follows:

- Lot sizes in proposed subdivisions too small and much too dense; they rather see one acre lots
- Not enough police & fire protection
- The widening of Covell Rd. was not in the County's ten year plan for roads.
- They all enjoyed the rural aesthetics of the area and didn't want urbanization
- Current roads are in terrible shape and additional traffic would make them worse.
- Request that the Planning Commission be sensitive to homeowners' needs to keep the area rural.

Mr. Box stated that the development would be part of the Edmond School District. He also stated that the developments that are around that have sewer and water are similar to the proposed.

Ms. Price asked what the closest Edmond schools were that the children would attend.

Mr. Box said that he believed, John Ross Elementary was one and he was unsure about the high school.

Ms. Dorrance asked about the gravity flow for the sewer.

Mr. Earnest Isch, Engineer for the project, explained the proposed gravity flow system to the sewer.

Mr. Richey stated that he understands the concerns of the fire and police protection and is also against the high density.

Mr. Thomason stated that he again would abstain from voting due to a conflict of interest.

Mr. Holloway asked if the developers considered larger lots.

Mr. Box stated that at the last meeting, one of the board members asked that they eliminate one lot on the north end and they did what was asked of them.

Mr. Holloway stated that he thought that maybe two (2) lots per acre.

Mr. Box stated that he did not believe that would help the issue.

Mr. Richey motioned denial of the zoning for PUD-2005-01. Mr. Holloway seconded the motion. Vote taken: Price – Aye; Thomason – Abstained; Dorrance – Aye; Richey – Aye; Holloway – Aye. The PUD-2005-01 zoning was denied.

Continued Item: This item was a companion item to PUD-2005-01 and due to the denial of the PUD zoning, this item was voided.

General Plat: (GP-2005-01) COUNTRY ROADS

Applicant: **OKLAHOMA COUNTRY ROADS, LLC**

The applicant proposes developing a single-family, residential subdivision with a total 440 lots, of various sizes, on 147.58 acres. 6.32 acres are set aside for commercial use to serve the neighborhood. The addition will also set aside 18% of the tract for common areas and ponds as amenities. The following is the legal description of the property:

The Northeast Quarter (NE/4) of Section 19, Township 14 North, Range 3 West of the Indian Meridian, Oklahoma County, Oklahoma.

**Location: South of NW 206th and West of N. Pennsylvania Ave.
(County Highway District #3)**

Final Plat: (FP-2005-01) SUMMIT LAKE ESTATES

Applicant: **SUMMIT LAKE, LLC**

The applicant proposes developing the first phase of a single-family, residential subdivision with 49 lots on approximately 77.75 acres. Common areas and ponds will be included as amenities.

The following is the legal description of the property:

Being a part of the Northwest Quarter (NW/4) of Section 18, Township 14 North, Range 3 West of the Indian Meridian, Oklahoma County, Oklahoma, said part being more particularly described as: BEGINNING at the northwest corner of said NW/4; Thence S89°13'38"E on the north line of said NW/4 (the Oklahoma State Plane North Zone NAD '83 bearing upon which this description is based) a distance of 2603.75 feet to the northeast corner of said NW/4; Thence S00°04'18"E on the east line of said NW/4 a distance of 1584.05 feet; Thence S89°55'42"W a distance of 170.03 feet; Thence S52°46'46"W a distance of 182.43 feet; Thence N37°13'14"W a distance of 293.40 feet to the beginning of a 250.00 feet radius tangent curve to the left; Thence on said curve thru a central angle of 82°38'59" for an arc distance of 360.63 feet; Thence S60°07'47"W a distance of 301.36 feet to the beginning of a 175.00 feet radius tangent curve to the right; Thence on said curve thru a central angle of 57°03'07" for an arc distance of 174.26 feet; Thence N62°49'05"W a distance of 22.72 feet to the beginning of a 25.00 feet radius tangent curve to the right; Thence on said curve thru a central angle of 85°30'21" for an arc distance of 37.31 feet to the beginning of a 200.00 feet radius reverse curve to the left; Thence on said curve thru a central angle of 36°01'23" for an arc distance of 125.74 feet; Thence N13°20'07"W a distance of 334.96 feet to the beginning of a 275.00 feet radius tangent curve to the right; Thence on said curve thru a central angle of 17°29'30" for an arc distance of 83.95 feet; Thence on a 25.00 feet radius curve to the right having a chord of 36.230 feet at N50°35'32"E an arc distance of 40.52 feet; Thence N82°58'19"W a distance of 31.62 feet to the beginning of a 325.00 feet radius tangent curve to the right; Thence on said curve thru a central angle of 11°18'38" for an arc distance of 64.16 feet; Thence on a 25.00 feet radius curve to the right having a chord of 31.382 feet at S32°47'07"E an arc distance of 33.93 feet to the beginning of a 325.00 feet radius reverse curve to the left; Thence on said curve thru a central angle of 19°25'33" for an arc distance of 110.19 feet; Thence S13°20'07"E a distance of 132.22 feet; Thence N61°57'24"W a distance of 288.99 feet; Thence N89°55'37"W a distance of 140.42 feet; Thence S11°19'22"E a distance of 300.07 feet; Thence S18°53'16"W a distance of 319.79 feet; Thence S00°34'26"W a distance of 224.14 feet; Thence N89°25'34"W a distance of 177.99 feet to the beginning of a 75.00 feet radius tangent curve to the right; Thence on said curve thru a central angle of 22°32'52" for an arc distance of 29.51 feet to the beginning of a 25.00 feet radius compound curve to the right; Thence on said curve thru a central angle of 89°41'44" for an arc distance of 39.14 feet; Thence N22°49'02"E a distance of 285.41 feet to the beginning of a 325.00 feet radius tangent curve to the left; Thence on said curve thru a central angle of 12°55'13" for an arc distance of 73.29 feet to the beginning of a 25.00 feet radius reverse curve to the right; Thence on said curve thru a central angle of 43°25'55" for an arc distance of 18.95 feet to the beginning of a 50.00 feet radius reverse curve to the left; Thence on said curve thru a central angle of 106°29'05" for an arc distance of 92.93 feet to the beginning of a 25.00 feet radius reverse curve to the right; Thence on said curve thru a central angle of 44°59'36" for an arc distance of 19.63 feet; Thence N08°09'45"W a distance of 28.61 feet to the beginning of a 325.00 feet radius tangent curve to the left; Thence on said curve thru a central angle of 15°19'18" for an arc distance of 86.91 feet; Thence N23°29'03"W a distance of 189.85 feet to the beginning of a 325.00 feet radius tangent curve to the left; Thence on said curve thru a central angle of 16°52'57" for an arc distance of 95.76 feet; Thence N40°22'00"W a distance of 279.86 feet to the beginning of a 450.00 feet radius tangent curve to the left; Thence on said curve thru a central angle of 17°23'01" for an arc distance of 136.53 feet; Thence N57°45'01"W a distance of 149.16 feet to the beginning of a 100.00 feet radius tangent curve to the left; Thence on said curve thru a central angle of

32°48'06" for an arc distance of 57.25 feet; Thence S89°26'53"W a distance of 87.90 feet to the west line of said NW/4; Thence N00°33'07"W on said west line a distance of 668.78 feet to the Point of Beginning.

The above description contains 77.7558 acres more or less

**Location: NW 206th (Covell Rd) & North May Ave.
(County Highway District # 3)**

Mr. Gammon gave the Staff Report stating that there were no letters of protest.

Mr. Jay Spradling, the developer, stated that there would be 113 lots on 156 acres and lot sizes would be about $\frac{3}{4}$ of an acre.

Mr. Jim Johnson, protestor, stated that he was concerned about the water in the area. He had spoken with Mr. Harrington at ACOG (Association of Central Oklahoma Governments) concerning water issues; including iron fixing bacterium which could plug wells, public consumption of the water and other pathogens. Mr. Johnson also asked who would regulate chlorination of these private septic systems. In addition, Mr. Johnson had concerns with water runoff and increased flooding, once development was complete.

Mr. Gammon stated that over the past two (2) to three (3) years, DEQ had stopped signing off on subdivision plats because it was not required. DEQ has since changed their policy for subdivisions in the unincorporated being developed in the unincorporated areas of the County.

Mr. Spradling stated that there is going to be growth and that the proposed final plat is going to be a very nice place to live and the engineers have done the study for the drainage and will have to keep drainage the same as it is now or minimize runoff so drainage is not an issue.

Mr. Brad Elder, protestor, stated that he wanted to see the lot sizes at one (1) acre.

Ms. Virginia Aldridge, protestor, stated that there would be runoff from the aerobic systems due to the fact that there is shale.

Ms. Dorrance stated that she was comforted to know that DEQ would be signing off on all of the future plats.

Ms. Price stated that she feels that $\frac{3}{4}$ of an acre per lot is substantial especially with the fact that there will be so much common area. She also stated that growth and progress will happen and give and take from both sides will be helpful.

Mr. Richey stated that he still did not like where the exit to the subdivision was located. The exit was fairly close the corner of NW 206th and May Ave.

Mr. Richey motioned to approve the final plat for Summit Lakes Estates. Ms. Price seconded the motion. Vote taken: Price – Aye; Thomason – Aye; Dorrance – Aye; Richey – Aye; Holloway – Aye. The final plat for Summit Lakes Estates was approved.

Final Plat: (FP-2005-02) STONE VALLEY RANCH 2ND ADDITION

Applicant: **RICE PROPERTIES, LLC**

The plat consists of 69 lots on 73.52 acres. This is a continuation of the Stone Valley Ranch development and will be consistent with the first phase. This phase will have the same covenants and restrictions. Each lot will have a private well and separate sewer system. The following is the legal description of the property:

A tract or parcel of land lying in the Northwest Quarter of Section 2, Township Fourteen (14) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma and being more particularly described as follows: Commencing at the Northwest Corner of said Northwest Quarter (NW/4) Thence North 89°34'02" East along the North line of said Northwest Quarter (NW/4) a distance of 1363.33 feet to the Point or Place of Beginning. Thence continuing North 89°34'02" East along the North line of said Northwest Quarter (NW/4) a distance of 1296.86 feet to the Northeast corner of said Northwest Quarter (NW/4); Thence South 00°32'57" East along the East line of said Northwest Quarter (NW/4) a distance of 2631.16 feet to the Southeast Corner of said Northwest Quarter (NW/4); Thence North 89°57'20" West along the South line of said Northwest Quarter (NW/4) a distance of 1177.60 feet to point being the Southeast Corner of Stone Valley Ranch 1st Addition; Thence North 00°02'40" East along the East line of said Stone Valley Ranch 1st Addition a distance of 1272.01 feet; Thence North 12°03'06" West a distance of 671.46 feet; Thence North 00°25'58 West a distance of 691.69 feet to the Point or Place of Beginning. Containing 3,202,683.74 Square Feet or 73.52.35 Acres, more or less.

**Location: Waterloo Rd & Midwest Blvd.
(County Highway District #3)**

Mr. Gammon gave the Staff Report stating that there had been no protests on this item.

Mr. Richey asked about the small portion of lots 54 and 55 being in the floodplain.

Mr. Barry Rice stated that there was plenty of area to build outside the floodplain and should not be a problem.

Mr. Richey motioned to approve the final plat for Stone Valley Ranch 2nd Addition. Mr. Thomason seconded the motion. Vote taken: Price – Aye; Thomason – Aye; Dorrance – Aye; Richey – Aye; Holloway – Aye. The final plat for Stone Valley Ranch 2nd Addition was approved.

Preliminary Plat: (PP-2005-02) Antler Farms

Applicant: **BELL DEVELOPMENT, L.L.C.
C/O COON ENGINEERING, INC.**

The applicant proposes developing a single-family residential subdivision with County maintained roads. Each lot will be one (1) acre or greater in size with a total of fifty-five (55) lots on 74.5432 acres, more or less. The following is the legal description of the property:

contain 12.8 acres of common space. He stated that there would be one entrance into the subdivision. Mr. Isch stated that they would have access to Deer Creek water via a twelve inch (12") water line and they would have aerobic systems and meet the requirements of DEQ related to individual waste water systems. Mr. Isch also stated that there is a new school site being proposed on NW 220th between Meridian and MacArthur for the Deer Creek School system. There will be a community pool and 1.2 miles of pedestrian walkways.

Ms. Tina Mannick, developer, gave a presentation that explained what to expect from the proposed Calistoga Farms development. She stated that the development would have a community pool, walking trails, basketball court, catch and release pond with large mouth bass, and a play area. Ms. Mannick also stated that they were committed to the development and would donate to the schools for each lot that would be built on.

There were many protestors present including: Mr. Steve Bailey, Mr. Dustin Renner, Mr. David Gibbon, Mr. Tom Herrick, Mr. Brad Elder, and Mr. Jim King. All of the protestors spoke about their concerns for the following:

- Surrounding area too rural for the proposed density
- Lack of a County Master Plan
- Roads deplorable and not adequate for density and added traffic
- Unable to depend on mutual agreements for fire protection
- Impact of aging oil and gas lines
- Schools unable to handle the proposed density due to maximum occupancy
- Impact of the aerobic systems
- Changing the character of the Deer Creek community

Mr. Bruce McLinn, Bate Oil and Gas Co, provided a letter that was not so much in protest as to just state their interest as the operator of the oil unit.

Mr. Isch stated that if drilling was ever necessary, a "work-over rig" would require a 90 foot by 180 foot area for operation and the lot is large enough for that.

Mr. Reaves asked if there was piping on the property that would be part of the wells.

Mr. McLinn stated that he was not sure but could find out and provide that information.

Mr. Isch showed Mr. Reaves where the Duke Energy and Sunoco gas lines were located on the property.

Mr. Bruce Alamon, a self proclaimed expert witness, stated that he thought that the proposed development would be an enhancement to the Deer Creek community.

Mr. Isch stated that the site distance at the entrance would support 50 mph traffic; aerobic systems would be installed by licensed installers and are required to be checked by a licensed operator to make sure they are functioning properly; and had spoken to Ms. Wilkinson, Deer Creek Schools, who did not oppose the development.

Mr. Holloway stated that he was not so much concerned with the proposed development, but more concerned about the well sites.

Mr. Isch stated that they would ask the operators to fence the locations and if not the developer would fence the locations. They would also work with the pipeline companies to be sure that all safety issues are met.

Mr. Holloway motioned to approval of the zoning application PUD-2005-02.

Motion died for lack of second.

Ms. Dorrance asked if there was more discussion.

Mr. Holloway motioned for approval of the zoning application PUD-2005-02. Mr. Richey seconded the motion. Vote taken: Price – No; Thomason – Aye; Dorrance – No; Richey – No; Holloway – Aye. The zoning was denied for a vote of 2-3.

Companion item for previous denied item.

General Plat: (GP-2005-02) CALISTOGA FARMS

Applicant: **CALISTOGA FARMS, LLC**

The applicant proposes developing a single-family, residential subdivision, with 81 lots and 12.5 acres of common areas and pond on a total of 80.35 acres. The following is the legal description of the property:

**The North ½ SE ¼ Sec 10, T14N, R4W, I.M., Oklahoma County, Oklahoma
Location: NW 220th and Meridian Ave. (County Highway. District #3)**

February 2005 Fee Fund Report.

Mr. Gammon reported the fees collected for February 2005 collected fees were \$16,796.20. Mr. Thomason motioned to accept the report. Mr. Richey seconded the motion. Vote taken: Price – Aye; Thomason – Aye; Dorrance – Aye; Richey – Aye; Holloway – Aye. The motion was approved to accept the Fee Fund Report for February 2005.

County Master Plan Update.

Ms. Ruth Walters handed out a memo of the Master Plan Progress Report to the board members. She went over the items of the master plan that have been completed.

Mr. Erik Brandt, Assistant County Planner, stated that he had received 147 of the 500 surveys sent out. He stated that he had inputted 70 of the 147 and would continue to input the remaining surveys. At this point the surveys made it clear that roads need to be improved throughout the County and the citizens wanted the County to remain rural in nature. He also stated that a report would be produced once all surveys were entered and the results were analyzed.

Other Business:

Ms. Walters handed out a draft of the Subdivision Regulations for the board to review. There would be a public hearing next month on the Subdivision Regulations.

Mr. Gammon stated that there would be Planning Commission Training on April 8, 2005 through the Municipal League at Metro Tech if any of the board members would like to attend.

Adjournment:

Mr. Thomason motioned for adjournment. Mr. Richey seconded the motion. Vote taken: Price – Aye; Thomason – Aye; Richey – Aye; Dorrance – Aye; Holloway - Aye. The meeting was adjourned at 4:20 p.m.

Approved this _____ day of _____, 2005.

**OKLAHOMA COUNTY
PLANNING COMMISSION**

Cheryl Dorrance, Chairperson

ATTEST:

Tyler Gammon, Jr., Secretary