

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

May 19, 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. Will K. Jones, Member
Mr. David Richey, Member
Ms. Janet Price, Member
Mr. Roger Holloway, Member
Mr. Mike Vorel, Member

Also in attendance:

Mr. Tyler Gammon, Jr., Planning Secretary
Ms. Ruth Walters, County Planner
Ms. Gretchen Crawford, Assistant District Attorney

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

Mr. Richey motioned approval of the minutes from the meeting of April 21, 2005. Mr. Holloway seconded the motion. Vote taken: Price – Aye; Jones – Aye; Dorrance – Aye; Richey – Aye; Holloway – Aye; Vorel – Aye. The minutes for the meeting of April 21, 2005, were approved.

Deferral requested by Applicant:

Final Plat: (FP-2005-03) ANTLER FARMS

Applicant: **BELL DEVELOPMENT, LLC**
 c/o COON ENGINEERING, INC.

The applicant proposed developing a single-family, residential subdivision with County maintained roads. Each lot would 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:

Part of the Northeast Quarter (NE/4) of Section Twenty-four (24), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma and more particularly described as follows:

Beginning at a FIP being the Northeast Corner of said NE/4 thence South 00°00'03" East along the east line of said NE/4 a distance of 2644.04 feet to a FIP being the Southeast Corner of said NE/4, thence South 89°35'00" West along the south line of said NE/4 a distance of 1656.57 feet; thence North 00°01'59" West a distance of 1500.00 feet, thence North 89°14'01" East a distance of 994.55 feet; thence North 00°00'46" West a distance of 1138.36 feet to a set PK and Shiner on the north line of said NE/4 thence North 89°37'03" East along the north line of said NE/4 a distance of 663.16 feet to the Point of Beginning, containing 74.5434 acres more or less.

**Location: West side of N. May Ave, ½ mile of South of 206th (Covell Road).
(County Highway District #3)**

Mr. Gammon stated that the applicant had asked for a deferral due to pipeline issues that needed to be resolved.

Final Plat: (FP-2005-04) SCISSORTAIL LANDING, 3rd ADDITION

Applicant: **SHAZ INVESTMENT GROUP**

The applicant proposed developing the third phase of a single-family, residential subdivision with several amenities such as common areas, pond, and walking trail. The phase would consist of approximately 51 homes on 15.02 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 South 00°00'00" West along the East line of said Southeast Quarter (SE/4) a distance of 1,012.25 feet to the Point or Place of Beginning, Thence continuing South along the East line of said Southeast Quarter (SE/4) a distance of 295.00 feet; Thence North 89°52'05" West a distance of 1,019.27 feet; Thence North 00°07'55" East a distance of 130.0 feet; Thence North 89°52'05" West a distance of 119.47 feet to a Point on a Curve to the right in a Northwesterly direction having a radius of 125.00 feet with an arc distance of 91.81 feet; said Curve being subtended by a Chord bearing of North 68°49'39" West and a Chord distance of 89.76 feet; Thence North 89°32'03" West a distance of 29.21 feet to Point on Curve to the left in a Southwesterly direction having a radius of 275.00 feet with an arc distance of 8.79 feet; said Curve being subtended by a Chord Bearing of South 61°38'05" West and a Chord distance of 8.79 feet; Thence North 27°26'57" West a distance of 50.00 feet to a Point of a Curve to the Left in a Northeasterly direction having a radius of 225.00 feet with an arc distance of 37.29 feet; said Curve being subtended by a Chord Bearing of North 57°48'09" East and a Chord distance of 37.25 feet; Thence North 29°28'58" West a distance of 130.64 feet; Thence North 20°24'07" West a distance of 234.25 feet; Thence North 31°08'55" West a distance of 31.73 feet to a Point on the East line of Scissortail Landing 2nd Addition; Thence North 69°35'53" East along the East line of said Scissortail Landing 2nd Addition a distance of 115.92 feet; Thence South 20°24'07" East a distance of 15.72 feet; Thence North 69°35'53" East a distance of 160.00 feet; Thence South 20°24'07" East a distance of 211.72 feet; Thence South 36°56'45" East a distance of 45.46 feet; Thence North 61°14'08" East a distance of 102.18 feet to a Point on a Curve to the left in a Northwesterly 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 North 27°44'44" West and Chord distance of 13.52 feet; Thence North 63°16'25" East a distance of 60.00 feet to a Point on a Curve to the Left in a Northwesterly 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 North 23°33'51" West and a Chord distance of 35.30 feet; Thence North 20°24'07" West a distance of 49.75 feet; Thence North 24°35'53" East a distance of 35.36 feet; Thence North 69°35'53" East a distance of 56.84 feet; Thence North 20°24'07" West a distance of 50.00 feet; Thence North 24°24'11" West a distance of 135.41 feet; Thence North 50°09'20" East along the South line of Scissortail Landing 1st Addition a distance of 194.95 feet; Thence North 60°40'12" East a distance of 107.38 feet; Thence South 90°00'00" East a distance of 48.98 feet; Thence South 11°47'09" East a distance of 116.14 feet to a point on a Curve to the Right in a Southwesterly direction having a radius of 175.00 feet with an arc distance of 3.54 feet; said Curve being subtended by a Chord Bearing of South 77°38'07" West and a Chord distance of 3.54 feet; Thence South 00°00'00" East a distance of 384.08 feet; Thence South

16°18'47" East a distance of 50.00 feet; Thence South 74°41'13" West a distance of 56.90 feet; Thence South 55°49'40" East a distance of 172.72 feet; Thence South 71°56'21" East a distance of 73.30 feet; Thence North 90°00'00" East a distance of 97.99 feet; Thence South 00°00'00" East a distance of 14.81 feet; Thence North 90°00'00" East a distance of 160.00 feet; Thence South 00°00'00" East a distance of 10.19 feet; Thence North 90°00'00" East a distance of 205.00 feet to the Point or Place of Beginning. Containing 15.0266 acres, more or less.

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

Mr. Gammon stated that Mr. Barry Rice had recently submitted a letter asking that this item be deferred due to water rights issues.

Mr. Richey made a motion to defer the final plat of Scissortail Landing 3rd Addition. Ms. Price seconded the motion. Vote taken: Price – Aye; Jones – Aye; Dorrance – Aye; Richey – Aye; Holloway – Aye; Vorel – Aye.

Several citizens came in late and Ms. Dorrance briefly told them what had transpired before they arrived. She asked if there were any questions concerning the items.

Dr. Richard Stansberry, homeowner, asked what would happen if Scissortail could not get the water right issues resolved.

Mr. Gammon stated that it would be useless to build the subdivision without water.

Dr. Stansberry stated that he owned the water rights and wondered what would happen.

A letter had been submitted by Deer Creek Water stating that they would not provide water to phases two or three until water issues were resolved.

Mr. Jones asked if there was any recourse for the Board since section two was approved on false pretences.

Ms. Crawford stated that she believed that the developer truly believed that they would have water when the item was approved and did not believe that the applicant intended to commit fraud. She stated that if something like this were to occur again, taking a closer look at the issue may be required. Ms. Crawford stated that if they didn't get water, there would be no final plat approval and they could not sell any homes without water.

Ms. Dorrance asked if there had been any permits issued in phase two.

Ms. Walters stated that there had not been any permits issued in phase two.

Ms. Dorrance asked that if Dr. Stansberry owned the water rights, how did Deer Creek Water provide water for the first phase.

Dr. Stansberry stated that Deer Creek told the developer that if they could drill well sites and turn over the water rights they would provide water, but the developer did not have the water rights to give Deer Creek Water.

Ms. Dorrance stated that staff needed to send the developer a letter asking them to cease any sales for development in phase two until the water issues were resolved.

Mr. Gammon stated that John Alexander originally applied for rezoning to RS – Urban Residential, but was denied. Shaz Investment acquired it and had the original letter from Deer Creek Water stating that they would provide water to the first phase, providing they met all of Deer Creek Water’s other requirements.

Mr. Jones stated that those requirements had not been met.

Dr. Stansberry gave a copy of the original water rights to the Commission members.

Vote was taken prior to discussion; item was deferred.

Re-Plat: (RE-2005-01) SOUTHERLY FARMS, SECTION 5

Applicant: **FREEMAN HOMES, INC.**

The applicant proposed making a lot line adjustment to lots 4 and 5 of Block 6. The following are the legal descriptions of the properties:

PARCEL A:

A parcel of land lying in the Southwest Quarter (SW/4) of Section Eight (8). Township Fourteen (14) North, Range Three (3) West or the Indian Meridian, Oklahoma County, Oklahoma, more fully described as follows:

Lot Five (5), Block Six (6), excepting the Easterly Fifteen (15) feet thereof, of Southerly Farms Section V, a recorded Addition to said Oklahoma County.

Above described Parcel contains 0.5642 acres or 24,575 square feet, more or less.

PARCEL B:

A parcel of land lying in the Southwest Quarter (SW/4) of Section Eight (8). Township Fourteen (14) North, Range Three (3) West or the Indian Meridian, Oklahoma County, Oklahoma, more fully described as follows:

Lot Four (4), Block Six (6), and the Easterly Fifteen (15) feet of lot Five (5), Block Six (6), of Southerly Farms Section V, a recorded Addition to said Oklahoma County.

Above described Parcel contains 0.7294 acres or 31,771 square feet, more or less.

Location: NW 220th & Pennsylvania Ave.

(County Highway District #3)

Mr. Gammon gave the Staff Report stating that the statutes did not allow the County to move and adjust lot lines administratively; the applicant had to apply for a re-plat through the Planning Commission.

Mr. Eugene Freeman, applicant, stated that the owner of lot 4 wanted a larger lot in order to build a detached garage and stay out of the fifteen foot easement. He stated that he was building the house on lot 5 as well. The house on lot 5 would fit on the lot without encroaching into the setbacks.

Mr. Richey motioned to approve the Re-plat for Southerly Farms Section 5, lots 4 & 5 of block 6. Vote taken: Price – Aye; Jones – Aye; Dorrance – Aye; Richey – Aye; Holloway – Aye; Vorel – Aye. The Re-plat was approved.

Re-Plat: (RE-2005-02) SOUTHERLY FARMS, SECTION 5

Applicant: **FREEMAN HOMES, INC.**

The applicant proposed making a lot line adjustment to lots 2 and 3 of Block 7. The following are the legal descriptions of the properties:

PARCEL C:

A parcel of land lying in the Southwest Quarter (SW/4) of Section Eight (8). Township Fourteen (14) North, Range Three (3) West or the Indian Meridian, Oklahoma County, Oklahoma, more fully described as follows:

Lot Three (3), Block Seven (7) Southerly Farms Section V, a recorded Addition to said Oklahoma County, excepting that portion of said lot 3 described as follows; Beginning at the Northeast corner of said Lot 3; Thence South 24°13'28" East along the East line of said Lot 3 a distance of 185.96 feet to the Southeasterly corner thereof; Thence South 37°33'34" West along the Southeasterly line of said Lot 3 a distance of 6.65 feet; Thence North 26°26'51" West a distance of 140.23 feet; Thence North 11°14'05" West a distance of 50.27 feet to the Point of Beginning.

PARCEL D:

A parcel of land lying in the Southwest Quarter (SW/4) of Section Eight (8). Township Fourteen (14) North, Range Three (3) West or the Indian Meridian, Oklahoma County, Oklahoma, more fully described as follows:

Lot Two (2), Block Seven (7), Southerly Farms Section V, a recorded Addition to said Oklahoma County, and a portion of Lot 3 of said Block 7 described as follows; Beginning at the Northeast corner of said Lot 3; Thence South 24°13'28" East along the East line of said Lot 3 a distance of 185.96 feet to the Southeasterly corner thereof; Thence South 37°33'34" West along the Southeasterly line of said Lot 3 a distance of 6.65 feet; Thence North 26°26'51" West a distance of 140.23 feet; Thence North 11°14'05" West a distance of 50.27 feet to the Point of Beginning.

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

Mr. Richey motioned to approve the Re-plat for Southerly Farms Section 5, lots 2 & 3 of block 7. Vote taken: Price – Aye; Jones – Aye; Dorrance – Aye; Richey – Aye; Holloway – Aye; Vorel – Aye. The Re-plat was approved.

April 2005 Fee Fund Report.

Mr. Gammon reported the fees collected for April 2005 were \$36,303.65. Mr. Jones motioned to accept the report. Mr. Holloway seconded the motion. Vote taken: Price – Aye; Jones – Aye; Dorrance – Aye; Richey – Aye; Holloway – Aye; Vorel – Aye. The motion was approved to accept the Fee Fund Report for April 2005.

Discussion, review and possible acceptance of Stone Valley Ranch, Section II, Road Bond and Letter of Credit for Erosion Control.

Mr. Richey motioned to accept the Road Bond and Erosion Control – Letter of Credit for Stone Valley Ranch, Section II. Ms. Price seconded the motion. Vote taken: Price – Aye; Jones – Aye; Dorrance – Aye; Richey – Aye; Holloway – Aye; Vorel – Aye. The motion was approved to accept the Road Bond and Erosion Control – Letter of Credit.

Discussion and possible action on Revised Subdivision Regulations.

Ms. Walters stated that she wanted to make a few more changes and reword a few things and would present the changes at the next meeting. She asked that the Board review and give their opinion on other changes.

Other Business:

- Mr. Richey made a motion that Staff send a letter to the developer of Scissortail Landing informing them that no building permits would be issued, and request the sale of lots in phase two cease until water issues were worked out for phases two and three. Mr. Richey seconded the motion. Vote taken: Price – Aye; Jones – Aye; Dorrance – Aye; Richey – Aye; Holloway – Aye; Vorel – Aye.
- Ms. Walters went over some tentative meeting dates with the consultants and steering committee for the Master Plan.
 1. District one members agreed that July 19, 2005 would be good for them.
 2. District two members agreed that July 26, 2005 would be good for them.
 3. District three members agreed that June 14, 2005 would be good for them.
- Mr. Gammon introduced the Resolution commending Mr. Thomason for his service as a Planning Commission Member.
- Mr. Jones wanted to commend Staff for the hard work done on the Master Plan surveys.
- Mr. Gammon reminded the members that it was almost time for the annual election of officers.

Adjournment:

Ms. Price motioned for adjournment. Mr. Holloway seconded the motion. Vote taken: Price – Aye; Jones – Aye; Richey – Aye; Dorrance – Aye; Holloway – Aye; Vorel – Aye. The meeting was adjourned at 2:30 p.m.

Approved this _____ day of _____, 2005.

**OKLAHOMA COUNTY
PLANNING COMMISSION**

Cheryl Dorrance, Chairperson

ATTEST:

Tyler Gammon, Jr., Secretary