

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

March 16, 2006

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. Roger Holloway, Member
Ms. Janet Price, Member
Mr. David Richey, Member

Also in attendance:

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

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

Ms. Price motioned approval of the minutes from the meeting of January 19, 2006. Mr. Holloway seconded the motion. Vote taken: Holloway – Aye; Richey – Aye; Price – Aye; Dorrance – Aye. The minutes for the meeting of January, 19, 2006 were approved.

Re-plat: (RE-2006-01) LAKE SHADOWS II @ SETTLERS' CROSSING, LOTS 26 & 27

Applicant: **SETTLERS' CROSSING, LLC**

The applicant proposed making a lot line adjustment to lots 26 and 27 of Block 1. The following is the legal description of the property:

Lots 26 and 27 of Block 1, Lake Shadows II @ Settlers' Crossing

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

Mr. Gammon gave the staff report and stated that there were no protests concerning the item, and the Re-plat was a necessary formality which required Planning Commission approval.

Mr. Isch was present representing the applicant.

Mr. Richey motioned for approval of the Re-plat. Mr. Holloway seconded the motion. Vote taken: Holloway – Aye; Richey – Aye; Price – Aye; Dorrance – Aye. The item was approved.

General Plat: (GP-2006-02) BROOKSIDE HILLS ADDITION

Applicant: **JOHNSON & ASSOCIATES, INC.**

The applicant proposed developing a single-family, residential subdivision with County maintained roads. Minimum lot size would be one (1) acre or greater, on 27.47 acres, more or less. The following is the legal description of the property:

A tract of land lying in the Northeast Quarter (NE/4) of Section Eight (8), Township Fourteen (14) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows:

Commencing at the Southeast corner of said Northeast Quarter (NE/4); thence North 00°24'35" West along the East line of said Northeast Quarter (NE/4) a distance of 200.00 feet to the Point of Beginning; thence North 89°41'11" West and parallel with the South line of said Northeast Quarter (NE/4) a distance of 435.00; thence South 00°24'23" East and parallel with the East line of said Northeast Quarter (NE/4) a distance of 200.00 feet to a point on the said South line; thence North 89°41'11" West along said South line a distance of 875.12 feet to a point on the West line of the East Half (E/2) of said Northeast Quarter (NE/4); thence North 00°19'26" West along said line a distance of 984.92 feet to a point on the South line of the North 1650.00 feet of said Northeast Quarter (NE/4); thence South 89°18'26" East and parallel with the North line of said Northeast Quarter (NE/4) a distance of 1308.84 feet to a point on the East line of said Northeast Quarter (NE/4); thence South 00°24'23" East along said East line a distance of 776.27 feet to the Point of Beginning.

Said Tract containing 1,196,923 square feet or 27.4776 acres more or less.

Location: N. Western Ave. & South of NW 234th (Sorghum Mill Rd.)

(County Highway. District #3)

Mr. Gammon gave the Staff Report and stated that the proposed area was rezoned to RA – Acreage Residential in 1983. He also stated that one letter of protest had been received. However, the concerns stated in the letter applied to the Preliminary Plat stage of the platting process, not the General Plat stage.

Mr. Dennis Box, representing the applicant, stated that the subdivision would be gated with private roads.

Mr. Tim Johnson, also representing the applicant, stated that they had looked into some of the drainage questions and a drainage report had been submitted to staff. He stated that the property was not located in the floodplain. However, a creek ran through the property bisecting north and south. Mr. Johnson stated that they planned to leave the creek in its natural state and provide for erosion protection. He also stated the lot sizes would be at least one acre; with the largest being 1.36 acres.

Mr. Richey motioned for approval of the general plat of Brookside Hills Addition. Ms. Price seconded the motion. Vote taken: Holloway – Aye; Richey – Aye; Price – Aye; Dorrance – Aye. The item was approved.

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

Applicant: **OKLAHOMA COUNTRY ROADS, LLC**

The applicant proposed developing a single-family, residential subdivision with a total of 418 lots of various sizes on 147.58 acres. 6.32 acres were set aside for commercial use to serve the neighborhood. The addition would 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 and stated that the Planning Commission had denied the proposed PUD in March 2005. It was also denied by the Board of County Commissioners in April 2005. He stated that a Journal Entry was made by a judge on December 28, 2005, allowing the PUD.

Mr. Dennis Box represented the applicant and stated that the judge required the applicant to comply with the proposed PUD.

Mr. Jim Johnson, homeowner, stated that he did not understand the legality issues and wondered why only one judge's opinion would determine approval.

Ms. Crawford stated that Zoning Regulations allow homeowners to voice their concerns but there is not a percentage that stops a zoning change. She stated that what the law did say was that if a certain percentage of adjoining property owners protested, the Board of County Commissioners approval or denial had to be unanimous.

Mr. Johnson stated that the Commissioners did not approve it unanimously. He stated that the judge broke the law. He asked what good the Planning Commission was when a judge could overturn whatever decisions were made by the members.

Ms. Dorrance stated that the County Commissioners were not the end of the line; the developers could go to a district judge and ask for an appeal if they felt they were treated unfairly; it was within the scope of the law.

Mr. Roy Brock, homeowner, asked what judge ruled on the issue and why nobody was notified.

Ms. Crawford stated that she did not have all of the details with her at that time however after the meeting she would provide him with the case number and they could go to the court clerk's office for all of the information.

Mr. Holloway motioned for approval of the general plat of Country Roads Addition. Mr. Richey seconded the motion. Vote taken: Holloway – Aye; Richey – Aye; Price – Aye; Dorrance – Aye. The item was approved.

January 2006 & February 2006 Fee Fund Reports:

Mr. Gammon reported the fees collected for January 2006 were \$19,051.95; February fees 2006 were \$24,391.90. Mr. Richey motioned to accept the reports. Ms. Price seconded the motion. Vote taken: Holloway – Aye; Richey – Aye; Price – Aye; Dorrance – Aye. The motion was approved to accept the Fee Fund Reports for January 2006 & February 2006.

Other Business:

None

Adjournment:

Ms. Price motioned for adjournment. Mr. Holloway seconded the motion. Vote taken: Holloway – Aye; Richey – Aye; Price – Aye; Dorrance – Aye. The meeting was adjourned at 2:45 p.m.

Approved this _____ day of _____, 2006.

**OKLAHOMA COUNTY
PLANNING COMMISSION**

Cheryl Dorrance, Chairperson

ATTEST:

Tyler Gammon, Jr., Secretary