

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

December 13, 2012

1:30 p.m.

The meeting of the Oklahoma County Planning Commission convened and was called to order by Mr. Will K. Jones, Chairman, at 1:33 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, Vice-Chairman**
- Mr. James Benson, Member**
- Mr. Edgar Frazier, Member**
- Mr. Roger Holloway, Member**
- Mr. Joe Blough on behalf of Ms. Willa Johnson, County Commissioner District #1**

Also in attendance:

- Mr. Tyler Gammon, Secretary**
- Mr. Stacey Trumbo, P.E., County Engineer**
- Ms. Gretchen Crawford, Assistant District Attorney**
- Mr. Erik Brandt, County Planner**

Mr. Gammon called roll and a quorum was declared.

Mr. Blough stated that he was sitting in for Ms. Johnson due to the fact that she was representing the County in a lawsuit in District Court.

Approval of Minutes of the Previous Meeting: (October 11, 2012)

Mr. Holloway motioned to approve the minutes from the previous meeting as submitted. Mr. Richey seconded the motion. Vote taken: Benson – Aye, Frazier – Aye, Jones – Aye, Richey – Aye, Holloway – Aye, Blough – Aye. The minutes from the October 11, 2012 meeting were approved.

Discussion and possible action to approve/deny the Re-Plat (RE-2012-03) of Hiwassee Hills Subdivision (Tracts 2, 3, & 4).

HIWASSEE HILLS

Application of:

**D.W. CONVERSE dba
CONVERSE SURVEYING AND ENGINEERING, INC.**

The applicant proposed a lot line adjustment between properties to develop two (2) larger tracts for residential purposes. All other particulars of the original plat including restrictive covenants would remain the same. The following is the legal description of the property:

A tract of land located in the Southwest Quarter (SW/4) of Section Ten (10), Township Fourteen (14) North, Range One (1) West, of the Indian Meridian, Oklahoma County, Oklahoma being more particularly described as follows: Commencing at the Southwest corner of said Southwest Quarter (SW/4); Thence N 00°05'58"E, along the West line of said Southwest Quarter (SW/4), a distance of 1323.45 feet, more or less, to a found 3/8" Iron Rod; Thence S 89°41'17"E a distance of 50.00 feet, more or less, to a 3/8" Iron Rod set for the Point of Beginning; Thence N 00°05'58"E, parallel with the West line of said Southwest Quarter (SW/4), a distance of 992.58 feet, more or less, to a set 3/8" Iron Rod; Thence S 89°41'45"E, a distance of 1257.54 feet, more or less, to a set 3/8" Iron Rod; Thence S 00°05'19"E, a distance of 992.77 feet, more or less, to set 3/8" Iron Rod; Thence N 89°41'17"W, a distance of 1260.80 feet, more or less, to the Point of Beginning.

Location: NE 220th & Hiwassee (County Highway District #3)

Mr. Gammon distributed the staff report and stated the current property owner of tracts 2, 3 and 4 of Hiwassee Hills Subdivision wished to enlarge their lots. He added that making the lots larger could only be accomplished by applying for a re-plat of the subdivision.

Mr. D.W. Converse, engineer on the project, was present to answer questions.

Mr. Richey motioned to approve the re-plat application. Mr. Benson and Mr. Frazier seconded simultaneously. Vote taken: Benson – Aye, Frazier – Aye, Jones – Aye, Richey – Aye, Holloway – Aye, Blough – Aye. The item was approved.

Discussion and possible action to approve/deny a zoning change (Z-2012-03) on a 2.21 acre parcel.

Application of: **BRAD AUSTIN BUILDERS, LLC**

The applicant proposed a zoning change from **AA–Agricultural and Rural Residential District** to **IU–Urban Industrial District with Special Use Permit** (for outdoor storage of recreational motor vehicles and boats). The applicant proposed extending an existing storage facility on an approximately 2.21 acre parcel. The following is the legal description of the property:

LEGAL DESCRIPTION (2 ACRES)

A part of the Northwest Quarter (NW/4) of Section Twenty Four (24), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, said part being more particularly described as follows: Commencing at the Northwest Corner of said Northwest Quarter (NW/4), then South 00°00'08"West along the West line of said Northwest Quarter (NW/4) a distance of 844.07 feet; thence South 89°59'52"East a distance of 236.18 feet to the Point of Beginning; Thence continuing South 89°59'52"East a distance of 196.77 feet; Thence North 25°05'19"East a distance of 219.12 feet; Thence South 33°43'46"East a distance of 133.52 feet; Thence South 00°00'08"West a distance of 292.91 feet; Thence North 89°59'52"West a distance of 354.08 feet; Thence North 11°14'05"West a distance of 50.99 feet; Thence North 00°04'31"East distance of 155.49 feet to the Point of Beginning, said tract containing 94,358.0945 square feet or 2.1662 acres more or less.

LEGAL DESCRIPTION (.05 ACRES)

A part of the Northwest Quarter (NW/4) of Section Twenty Four (24), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, said part being more particularly described as follows: With the basis of bearing being South 00°00'08"West along the West line of said Northwest Quarter (NW/4), Section Twenty Four (24), and all bearings contained relative thereto. Commencing at the Northwest Corner of

said Northwest Quarter; thence South 00°00'08"West along the West line of said Northwest Quarter a distance of 844.07 feet; thence South 89°59'52"East a distance of 432.95 feet to the Point of Beginning; thence from said Point of Beginning North 25°05'19"East a distance of 219.12 feet; thence South 20°10'25"West a distance of 211.42 feet; thence North 89°59'52"West a distance of 20.00 feet to the point of beginning. Said tract containing 1984.5459 square feet or 0.0456 acres more or less.

Location: East side of Portland Ave, south of NW 206th.
(County Highway District#3)

Mr. Gammon distributed the staff report and gave a brief summary of the application explaining that Mr. Austin was expanding an existing storage facility.

Mr. Jones asked if the widening of Highway 74 was taken in to consideration regarding expansion of the existing storage facility.

Mr. Gammon replied that the Oklahoma Department of Transportation had acquired all necessary right-of way for the widening of Highway 74. He added that the rezoning application would not be affected by ODOT's project.

Mr. Brad Austin, applicant, was present to answer questions.

Mr. Benson motioned to approve the re-zoning application. Mr. Richey seconded the motion. Vote taken: Benson – Aye, Frazier – Aye, Jones – Aye, Richey – Aye, Holloway – Aye, Blough – Aye. The re-zoning application was approved.

Discussion and possible action to approve/deny a zoning change from AA–Agricultural and Rural Residential District to Planned Unit Development (PUD-2012-02).

Application of: **CRAFTON TULL & ASSOCIATES**

The applicant proposed developing a residential subdivision according to the RS-Urban Single Family Residential District with lots approximately one half acre in size and an approximate 5 acre commercial corner. The proposed development encompassed approximately 160.64 acres. The following is the legal description of the property:

A tract of land located in the Northwest Quarter (NW/4) of Section Thirty-Four (34), Township Fourteen North (T-14-N), Range Four West (R-4-W), I.M., Oklahoma County, Oklahoma, said tract being more fully described as follows: Beginning at the Northwest Corner of said Northwest Quarter (NW/4); Thence N 89°55'15"E along the North line of said Northwest Quarter a distance of 2654.81 feet; Thence S 00°00'40"W along the East line of said Northwest Quarter a distance of 2640.17 feet; Thence S 89°58'20"W a distance of 567.00 feet; Thence S 89°53'55"W a distance of 1826.00 feet; Thence S 89°36'35"W a distance of 261.00 feet to a point on the West line of said Northwest Quarter; Thence N 00°00'24"W along the West line of said Northwest Quarter a distance of 2637.79 feet to the Point of Beginning; Said tract containing 160.64 acres, more or less.

Location: NW 178th & MacArthur Blvd. (County Highway District #3)

Mr. Gammon distributed the staff report and gave a brief description of a PUD describing the amenities, lot sizes and mixed uses allowed through a planned unit development in lieu of straight re-zoning.

Mr. Jones complimented Erik Brandt on the great job he did preparing the staff report for the PUD application.

Mr. David Box, attorney for the applicant, stated that Oklahoma County's master plan called for urban growth on the proposed subdivision property. He added that in an urban growth area lot sizes could be as small as 6000 square feet. He went on to say that his client's application was significantly less dense, with half-acre lots, than what the master plan provided. Mr. Box explained that he and his client felt that the proposed subdivision would be a good transition zone from more dense to the south in Oklahoma City to larger lots to the north in Unincorporated Oklahoma County. Mr. Box also stated that the proposed subdivision would be served by Deer Creek Water but sewer service was inaccessible due to lack of adequate statutory right-of-way.

Mr. Jones stated that the county regulations required 24.1 acres of common area or green space for the proposed PUD.

Mr. Box stated that as of the meeting date the proposed development only had 20.88 acres of green space but his client would be willing to comply with the regulation requirement.

Mr. Jones asked where the current sewer lines ran in relation to the proposed development.

Mr. Kendall Dillon, Crafton, Tull & Associates, distributed a map showing sewer locations in close proximity to the proposed development. He stated that if Oklahoma City allowed use of their sewer lines, the development would have to obtain easements from private property owners. He added that Crafton, Tull & Associates did not have the ability to condemn property in order to obtain needed easements.

Mr. Jones asked Ms. Crawford for a definition of accessible.

Ms. Crawford answered that since the word "accessible" was not defined in the Oklahoma County Zoning and Subdivision Regulations, the definition should be obtained from the dictionary.

Ms. Crawford read the following definition from Merriam-Webster on-line dictionary:

- Capable of being reached, capable of being used or seen. Examples of accessible: The mall is *accessible* from the highway. The inn is *accessible* by train and bus.

Mr. Blough asked if it was an uncommon practice in development to approach private property owners to obtain easements.

Mr. Dillon replied that it had been done previously, but there would be numerous complications to access the available sewer lines, including, but not limited to obtaining private property easements.

Mr. Blough asked how many land owners there were between the sewer line and the proposed development.

Mr. Dillon stated that he did not know how many land owners there were.

Mr. Dillon added that if Oklahoma City sewer were utilized in the proposed subdivision, he would be forced to decrease lot size and increase the number of lots.

Mr. Gilbert Stagnar and Mr. Leon Humphrey were present to voice their opposition to the development for the following reasons:

- Keep rural feel in the area
- Overcrowded schools
- Increased traffic
- Drainage issues
- Possible low income housing

Mr. Box stated that he and his client were willing to ask the Board to defer the application until the February meeting in order to talk to Oklahoma City and surrounding property owners that would be affected by addition of sewer to the proposed development. He added that if sewer were deemed accessible, his client would alter the proposed development to a larger density.

Mr. Benson motioned to accept the deferment until the February Planning Commission meeting. Mr. Richey seconded the motion. Vote taken: Benson – Aye; Frazier – Aye, Jones – Aye, Richey – Aye, Holloway – Aye, Blough – Aye. The item was deferred until February 14, 2013.

Discussion and possible action to approve/deny the General Plat (GP-2012-05) of Mayflower, a residential subdivision, according to the Planned Unit Development (PUD-2012-02).

MAYFLOWER

Application of:

CRAFTON TULL & ASSOCIATES

The applicant proposed developing a residential subdivision according to the RS-Urban Single Family Residential District with lots approximately one half acre in size and an approximate 5 acre commercial corner. The proposed development encompassed approximately 160.64 acres. The following is the legal description of the property:

A tract of land located in the Northwest Quarter (NW/4) of Section Thirty-Four (34), Township Fourteen North (T-14-N), Range Four West (R-4-W), I.M., Oklahoma County, Oklahoma, said tract being more fully described as follows: Beginning at the Northwest Corner of said Northwest Quarter (NW/4); Thence N 89°55'15"E along the North line of said Northwest Quarter a distance of 2654.81 feet; Thence S 00°00'40"W along the East line of said Northwest Quarter a distance of 2640.17 feet; Thence S 89°58'20"W a distance of 567.00 feet; Thence S 89°53'55"W a distance of 1826.00 feet; Thence S 89°36'35"W a distance of 261.00 feet to a point on the West line of said Northwest Quarter; Thence N 00°00'24"W along the West line of said Northwest Quarter a distance of 2637.79 feet to the Point of Beginning; Said tract containing 160.64 acres, more or less.

Location: NW 178th & MacArthur Blvd. (County Highway District #3)

Mr. Box asked that this item also be deferred until the February meeting.

Mr. Benson motioned to accept the deferment until the February Planning Commission meeting. Mr. Richey seconded the motion. Vote taken: Benson – Aye; Frazier – Aye, Jones – Aye, Richey – Aye, Holloway – Aye, Blough – Aye. The item was deferred until February 14, 2013.

Discussion and possible action to receive October & November 2012 Fee Fund Reports.

Mr. Richey motioned to receive the reports from October and November 2012. Mr. Benson seconded. Vote taken: Benson – Aye; Frazier – Aye, Jones – Aye, Richey – Aye, Holloway – Aye, Blough – Aye. The reports were received.

Other Business:

There was no other business.

Adjournment:

Mr. Holloway motioned to adjourn the meeting. Mr. Richey seconded the motion. Vote taken: Benson – Aye, Frazier – Aye, Jones – Aye, Richey – Aye, Holloway – Aye, Johnson – Aye. The meeting was adjourned at 2:42 p.m.

Approved this _____ day of _____, 2013

**OKLAHOMA COUNTY
PLANNING COMMISSION**

Will K. Jones, Chairman

ATTEST:

Tyler Gammon, Jr., Secretary