

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

July 10, 2014

2:05 p.m.

The meeting of the Oklahoma County Planning Commission convened and was called to order by Mr. James Benson, Vice- Chairman, at 2:05 p.m., in Room 103, Oklahoma County Office Building, 320 Robert S. Kerr, with the following individuals present:

Mr. James Benson, Vice-Chairman
Mr. Charles Defuria, Member
Ms. Irene Martin, Member
Mr. David Richey, Member
Mr. Roger Holloway, Member
Ms. Ms. Willa Johnson, County Commissioner Dist. #1

Also in attendance:

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

Mr. Gammon called roll and a quorum was declared.

Approval of Minutes of the Previous Meetings: (June 12, 2014)

Mr. Richey motioned to approve the minutes. Mr. Defuria seconded. Vote taken: Defuria – Aye, Martin – Abstain, Benson – Aye, Richey - Aye, Holloway – Aye, Johnson – Aye. The minutes from the June 12, 2014 meeting were approved as submitted.

(Deferred Item) Discussion and possible action to approve/deny the zoning change request from AA-Agricultural and Rural Residential to RS-Urban Single Family Residential District (Z-2014-03).

Application of:

GARRETT DEVELOPMENT, LLC

The applicant proposed developing a residential subdivision with 510 lots on approximately 156 acres. The following is the legal description of the property:

The Northwest Quarter (NW/4) of Section Nineteen (19), Township Fourteen (14) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma. Being more particularly described as follows:

Commencing at the Northwest Corner of the Northwest Quarter of Section 19, Township 14 North, Range 3 West; thence South 89°25'12" East along the North line of said Northwest Quarter a distance of 2561.50 feet to the Northeast Corner of said Northwest Quarter; thence South 00°26'42" East along the East line of the said Northwest Quarter a distance of 2645.20 feet to the Southeast Corner of the said Northwest Quarter; thence North 89°24'15" West along the South line of said Northwest Quarter a distance of 2568.54 feet to the Southwest Corner of said Northwest Quarter; thence North 00°17'34" West along the West

line of said Northwest Quarter a distance of 2644.37 feet to the said Point of Beginning. Said tract of land containing ±155.7158 Acres and or 6,782,979.9569 Square feet more or less.

Location: NW 206th & May Avenue (County Highway District # 3)

Mr. Gammon stated that the applicant had submitted a letter requesting deferral of the application until the August 14, 2014 Planning Commission meeting.

Mr. Richey motioned to accept the deferral request. Ms. Johnson seconded. Vote taken: Defuria – Aye, Martin – Aye, Benson – Aye, Richey - Aye, Holloway – Aye, Johnson – Aye. The item was deferred until the August Planning Commission meeting.

(Deferred Item) Discussion and possible action to approve/deny the General Plat (GP-2014-03) of Covell Creek.

Application of: **GARRETT DEVELOPMENT, LLC**

The applicant proposed developing a single-family, residential subdivision with 510 lots on approximately 156 acres. The following is the legal description of the property:

The Northwest Quarter (NW/4) of Section Nineteen (19), Township Fourteen (14) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma. Being more particularly described as follows:

Commencing at the Northwest Corner of the Northwest Quarter of Section 19, Township 14 North, Range 3 West; thence South 89°25'12" East along the North line of said Northwest Quarter a distance of 2561.50 feet to the Northeast Corner of said Northwest Quarter; thence South 00°26'42" East along the East line of the said Northwest Quarter a distance of 2645.20 feet to the Southeast Corner of the said Northwest Quarter; thence North 89°24'15" West along the South line of said Northwest Quarter a distance of 2568.54 feet to the Southwest Corner of said Northwest Quarter; thence North 00°17'34" West along the West line of said Northwest Quarter a distance of 2644.37 feet to the said Point of Beginning. Said tract of land containing ±155.7158 Acres and or 6,782,979.9569 Square feet more or less.

Location: NW 206th & May Avenue (County Highway District # 3)

Mr. Gammon stated that the applicant had submitted a letter requesting deferral of the application until the August 14, 2014 Planning Commission meeting.

Mr. Richey motioned to accept the deferral request. Ms. Johnson seconded. Vote taken: Defuria – Aye, Martin – Aye, Benson – Aye, Richey - Aye, Holloway – Aye, Johnson – Aye. The item was deferred until the August Planning Commission meeting.

Discussion and possible action to approve/deny the Preliminary Plat (PP-2014-01) of Deer Springs, III.

Application of: **DEER SPRINGS DEVELOPMENT, LLC**

The applicant proposed developing a single-family, residential subdivision with 7 lots on 8.398 acres. Minimum lot size would be one (1) acre. The following is the legal description of the property:

A tract of land situated within a portion of the Northwest Quarter (NW/4) of Section Twenty-Four (24) of Township Fourteen (14) North, Range Four (4) West, of the Indian Meridian, Edmond, Oklahoma County, Oklahoma; being more particularly described as

follows: Commencing at the Southwest corner of said NW/4; thence N89°23'19"E along the South line of said NW/4 a distance of 2657.94 feet to the Southeast corner of said NW/4; thence N00°21'07" along the East line of said NW/4 a distance of 330.46 feet to the POINT OF BEGINNING; thence N61°49'21"W a distance of 133.78 feet; thence N30°13'52"W a distance of 1021.20 feet to a point on the Southerly line of Deer Springs II Addition according to the recorded plat thereof; thence along the Southerly line of said Plat the following Ten (10) courses:

1. N77°16'20"E a distance of 124.89; thence
2. N74°58'39"E a distance of 148.42 feet; thence
3. N15°01'21"W a distance of 65.00 feet; thence
4. N74°58'39"E a distance of 60.00 feet; thence
5. S15°01'21"E a distance of 65.00 feet; thence
6. N53°21'00"E a distance of 81.45 feet; thence
7. S58°11'29"E a distance of 158.25 feet; thence
8. S06°03'23"E a distance of 52.00 feet; thence
9. N79°38'51"E a distance of 37.16 feet; thence
10. S50°21'08"E a distance of 80.00 feet to a point on the East line of said NW/4; thence S00°21'07"E along said East line a distance of 896.17 feet to the POINT OF BEGINNING. Said tract contains 365,813 square feet or 8.398 acres more or less.

Location: NW 206th & Portland Ave. (County Highway District #3)

Mr. Gammon stated that the applicant had submitted a letter requesting deferral of the application until the August 14, 2014 Planning Commission meeting.

Ms. Johnson motioned to accept the deferral request. Mr. Richey seconded. Vote taken: Defuria – Aye, Martin – Aye, Benson – Aye, Richey - Aye, Holloway – Aye, Johnson – Aye. The item was deferred until the August Planning Commission meeting.

Discussion and possible action to approve/deny the zoning change request from AA-Agricultural and Rural Residential to CL-Urban Limited Commercial and Office District (Z-2014-04).

Application of: **BRAD AUSTIN**

The applicant proposed developing an office complex for the uses allowed in CL zoning district. The parcel contains 37151.72 square feet or 0.85 acres, more or less after roadway take. The following is the legal description of the property to be considered:

Part of the Southwest Quarter (SW/4) of Section Eighteen (18), Township Fourteen (14) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows: BEGINNING at the Southwest corner of said Section; Thence S88°51'52"E along the South line of said Section 330.06 feet; Thence N00°00'00"E and parallel with the West line of said Section, a distance of 161.04 feet; Thence N90°00'00"W for a distance of 330.00 feet; Thence South, and parallel with the West line of said Section, a distance of 154.50 feet to the point of beginning. LESS AND EXCEPT THE WEST 33 FEET AND THE SOUTH 33 FEET OF SUBJECT PROPERTY FOR ROAD PURPOSES. Containing 37151.72 Sq. Ft. or 0.85 acres, more or less, after roadway take.

Location: NW 206th & May Avenue. (County Highway District#3)

Mr. Gammon gave a brief summary of the application stating that the proposed re-zoning would serve the residents in the area on a small lot adjacent to two proposed developments. He added that several protests had been received.

The Board took time to read all the protest letters.

Mr. Brad Austin, applicant, stated the following points in support of his project.

- Lot smaller than an acre and located at intersection of major arterial streets
- Would require variance from Oklahoma County in order to build a single family residence
- Chose most restrictive zoning to minimize impact on surrounding residential properties
- Proposed commercial building would be single story
- Would provide abundant landscaping/screening to preserve the quality of life

Mr. Benson read aloud all permitted uses in CL-Urban Limited Commercial and Office zoning district.

Mr. Aaron Gwartney, Ms. Susan Lynn, Mr. Kevin Ewing and Mr. Ryan Askew, Deer Creek Residents, were present to voice their opposition to the proposed rezoning for the following reasons:

- Want to maintain rural setting and atmosphere
- Proposed re-zoning not compatible with the Oklahoma County Master Plan
- Concerned with permitted uses being too general
- Increased traffic concerns

Mr. Defuria asked the applicant if he would be willing to defer his item until the proposed development to the south was heard by the planning commission. He added that a decision on that development could have an effect on Mr. Austin's rezoning application.

Mr. Austin replied that he would not be against deferring his application.

Mr. Benson stated that if the application were denied, Mr. Austin could re-submit after ninety (90) days.

Ms. Johnson stated that she was concerned with the fact that Mr. Austin had not conferred with his neighbors regarding his application.

The protestors were concerned with not being able to voice their opposition in person if the item were deferred. They added that it was difficult to gather everyone up and attend the meetings.

Ms. Crawford stated that protests could be in writing or in person. She added that the protestors would not get additional notice from the Planning Commission if the item were deferred. She stated that the deferral date would be decided at the current meeting.

Mr. Richey stated his concern was that the proposed re-zoning was surrounded on all four sides by agriculture and rural residentially zoned properties.

Mr. Austin asked if there was a way to modify his application in order to specify a limited number of uses allowed on the property.

Mr. Gammon answered that the application could not be modified. He stated that the application would have to be withdrawn and a new application for a special use permit or planned unit development submitted.

Mr. Austin withdrew his application.

Discussion and possible action to approve/deny a Special Use Permit (SUP-2014-02)

Application of: **FIREWORKS CENTRAL 25, LLC**

The applicant requested renewal of a permit for a “Year Round Fireworks Sales Facility” within an existing warehouse. The following is the site description to be considered:

A part of Lot One (1) of the Northwest Quarter (NW/4) of Section Eighteen (18), Township Twelve (12) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, more particularly described as follows, to-wit: Beginning at the Northwest Corner of Lot One (1) of the Northwest Quarter (NW/4); Thence East 757.2876 feet; Thence South 330.00 feet; Thence West to the West line of Lot One (1); Thence North to Beginning. LESS AND EXCEPT a tract on the West deeded to Oklahoma County for road purposes, said deed being recorded in Book 55, page 177 of the records of Oklahoma County, Oklahoma, AND FURTHER LESS AND EXCEPT a strip, piece or parcel of land lying in part of Lot One (1) of the Northwest Quarter (NW/4) of Section Eighteen (18), Township Twelve (12) North, Range Two (2) West, Oklahoma County, Oklahoma, said parcel of land being described by metes and bounds as follows: Beginning at a point 33.00 feet east of the West line: Thence East on a line parallel to and 33.00 feet South of said North line a distance of 32.00 feet; Thence South 00°08'33"East a distance of 311.75 feet; Thence North 14°10'49"West a distance of 131.86 feet to a point 33.00 feet East of the West line of said Lot One (1); Thence North 00°08'33"West a distance of 183.75 feet to the Point of Beginning.

Location: 2820 NE 50th St., Oklahoma City, Oklahoma (County Highway District #1)

Mr. Gammon gave a brief summary of the application stating that the application required a yearly renewal. He added that after review of the Oklahoma County regulations regarding special use permits, it was determined that special use permits do not have to have a time limit. He stated that he would work to get a new resolution approved by the Board of County Commissioners that would not require the applicant to renew the special use permit every year.

Ms. Johnson stated that she was very pleased with the maintenance of the property. She added that the property owners had gone above and beyond what the County had requested of them.

There was a representative for the applicant present to answer any questions.

Ms. Johnson motioned to approve the special use permit. Mr. Richey seconded the motion. Vote taken: Defuria – Aye, Martin – Aye, Benson – Aye, Richey - Aye, Holloway – Aye, Johnson – Aye. The special use permit was approved.

Discussion and possible action to receive June 2014 Fee Fund Report.

Ms. Johnson motioned to receive the fee fund report. Mr. Holloway seconded. Vote taken: Defuria – Aye, Martin – Aye, Benson – Aye, Richey - Aye, Holloway – Aye, Johnson – Aye. The June 2014 Fee Fund report was received.

New Business:

Mr. Gammon congratulated Mr. Holloway on being appointed to serve another six (6) years on the Planning Commission.

Adjournment:

Ms. Johnson motioned to adjourn the meeting. Mr. Defuria seconded the motion. Vote taken: Defuria – Aye, Martin – Aye, Benson – Aye, Richey - Aye, Holloway – Aye, Johnson – Aye. The meeting adjourned at 3:00 p.m.

Approved this _____ day of _____, 2014

**OKLAHOMA COUNTY
PLANNING COMMISSION**

James Benson, Vice-Chairman

ATTEST:

Tyler Gammon, Jr., Secretary