

# M I N U T E S

## OKLAHOMA COUNTY PLANNING COMMISSION

June 12, 2014

1:33 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. James Benson, Vice-Chairman**  
**Mr. Charles DeFuria, Member**  
**Mr. David Richey, Member**  
**Mr. Joe Blough on behalf of Ms. Willa Johnson, County Commissioner Dist. #1**

Also in attendance:

**Mr. Tyler Gammon, Secretary**  
**Ms. Gretchen Crawford, Assistant District Attorney**  
**Mr. Erik Brandt, County Planner**

Mr. Gammon called roll and a quorum was declared.

### **Approval of Minutes of the Previous Meetings: (May 8, 2014)**

Mr. Benson motioned to approve the minutes. Mr. Richey seconded. Vote taken: Benson – Aye, Defuria – Aye, Jones – Aye, Richey – Aye, Blough – Aye. The minutes from the May 8, 2014 meeting were approved as submitted.

### **Annual Election of Officers: (Chair & Vice Chair)**

Mr. Jones opened nominations for the position of Vice-Chairman of the Oklahoma County Planning Commission.

Mr. Defuria nominated Mr. Benson to serve as Vice-Chairman.

Mr. Richey motioned to close the nomination of Vice-Chairman by acclimation of the vote. Vote taken: Benson – Aye, Defuria – Aye, Jones – Aye, Richey – Aye, Blough - Aye. Mr. Benson was elected Vice-Chairman to serve until June 2015.

Mr. Jones opened nominations for the position of Chairman of the Oklahoma County Planning Commission.

Mr. Richey nominated Mr. Jones to serve as Chairman. Mr. Benson seconded the nomination.

Mr. Richey motioned to close the nomination of Chairman by acclimation of the vote. Vote taken: Benson – Aye, Defuria – Aye, Jones – Aye, Richey – Aye, Blough - Aye. Mr. Jones was elected Chairman to serve until June 2015.

**(Deferred Item) 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**

This application was approved previously by the Planning Commission and forwarded on to the Board of County Commissioners (BOCC) for consideration. The BOCC returned the item back to the Planning Commission for reconsideration after new facts regarding utilities emerged. With new facts considered, the applicant proposed changes in the development of 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 encompasses 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 178<sup>th</sup> & MacArthur Blvd. (County Highway District #3)**

Mr. Gammon gave the staff report and stated that the application had been heard and approved by the Planning Commission in November 2013 without access to sanitary sewer. The application was then sent to the Board of County Commissioners for their consideration. He added that the BOCC returned the zoning application to the Planning Commission for reconsideration after it was determined that sewer was accessible to the proposed development. Mr. Gammon acknowledged that a few changes had been made to the application including smaller lot sizes to accommodate the required common space acreage and a revised PUD statement.

Mr. Jones asked if any comments had been made by the BOCC members when it was returned to the Planning Commission.

Ms. Crawford stated that after the case was heard by the Planning Commission and before it was considered by the BOCC; it was determined that Oklahoma City could assist in accessing the sewer line. She added that Oklahoma City needed to initiate condemnation proceedings or work with the abutting property owners. She added as well that there was also an issue with the actual location of the sewer line in that it was originally misplaced. She stated that the BOCC decided that it was in their best interest to refer the application back to the Planning Commission since they were the "fact finding" body for the BOCC.

Mr. Jones, after reading the staff report, had questions about the following issues:

- Applicant meeting green space acreage requirement
- Direct access to commercial corner by homeowners in proposed neighborhood
- Definite utilization of Deer Creek Water

- Fire protection issues

Mr. Gammon stated that he had received a verbal confirmation that the required common area acreage had been met. He also stated that the applicant had submitted a letter from Deer Creek water stating that they would supply water to the proposed development.

Mr. Brandt addressed the fire protection issue stating that there was an agreement between Deer Creek Fire Department and Piedmont Fire Department stating that Piedmont would automatically respond when needed.

Mr. Dennis Box, attorney for the applicant, stated that an easement had been secured and filed for the sanitary sewer that would serve the proposed development. He added that there would still be 197 lots, but the lots would go from .5 acres to .4 acres to accommodate the required green space requirement. He stated as well that there would be no direct access to the commercial corner from the residents of the proposed neighborhood. The commercial corner would be accessed only by the section line roads.

Mr. Benson asked for explanation of the drainage controls for the proposed development.

Mr. Kendall Dillon, applicant, presented a drainage map showing the drainage basins and contour lines for the development. He added that the common areas would serve as detention ponds that would detain the water and release it at the historic rate. He stated that he would meet all drainage requirements set by Oklahoma County.

Mr. Kendall Dillon stated that he was requesting that the streets be maintained by Oklahoma County. He also stated that the revised PUD statement had been submitted in January.

Mr. Richie asked if all paperwork had been submitted.

Mr. Gammon confirmed that he had received the revised PUD statement and that all other paperwork was received and in order.

Mr. Keith Monroe, adjacent property owner, was present to voice his thanks for the Board's consideration of the project.

There were no opponents present.

Mr. Benson motioned to approve the PUD application. Mr. Richey seconded the motion. Vote taken: Benson – Aye, Defuria – Aye, Jones – Aye, Richey – Aye, Blough - Aye. The application was approved.

**(Deferred Item) Discussion and possible action to approve/deny the General Plat of Mayflower (GP-2012-05).**

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 encompasses 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 178<sup>th</sup> & MacArthur Blvd. (County Highway District #3)**

There were no opponents or proponents present to speak.

Mr. Blough stated that he wanted to be sure that traffic studies were conducted to ensure the safety of the general public.

Mr. Dillon, applicant, stated that a traffic study had already been submitted but would not be reviewed until the preliminary plat phase of the development.

Mr. Benson motioned to approve the general plat application. Mr. Richey seconded the motion. Vote taken: Benson – Aye, Defuria – Aye, Jones – Aye, Richey – Aye, Blough - Aye. The general plat of Mayflower was approved.

**(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-2014-01).**

Application of: **SOONER TRADITIONS, LLC**

The applicant proposed developing a residential subdivision with 123 lots on 43.93 acres. The following is the legal description of the property:

**A part of the North Half (N/2) of the Northeast Quarter (NE/4) of Section Thirty-Three (33), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma more particularly described as follows: Commencing at the Northeast corner of the NE/4 of said Section 33; Thence S89°55'19"W along the North line of said NE/4, a distance of 1185.00 feet to the Point of Beginning; Thence S89°55'19"W along the North line of said NE/4 a distance of 1448.98 feet to the Northwest corner of said NE/4; Thence S00°06'49"W along the West line of said NE/4 a distance of 1321.61 feet to the Southwest corner of the N/2 of said NE/4; Thence N89°51'43"E along the South line of the N/2 of said NE/4 a distance of 1448.98 feet; Thence N00°01'43"E a distance of 1320.08 feet to the Point of Beginning.**

**Location: NW 178<sup>th</sup> & MacArthur Blvd. (County Highway District # 3)**

Mr. Gammon discussed the staff report and stated that the item had been deferred due to lack of confirmation of utility services for the development.

Mr. Jones asked Erik to clarify where the transition zone was in relation to the proposed development and what the density was for the transition zone.

Mr. Brandt replied that the transition zone ran from NW 164<sup>th</sup> St. to NW 178<sup>th</sup> St., going east to west, north of the Oklahoma City boundary. He added that the transition zone in this area permitted urban growth which allowed for as many as 6 - 8 dwelling units per acre.

Mr. Gammon stated that Mr. Stacey Trumbo, County Engineer, left notes in his absence which stated that he had no issues with the re-zoning application.

Mr. Gammon gave a brief description of the RS zoning classification.

Mr. Sean Reiger, attorney for the applicant, presented a slide show showing the proposed development's compliance with the master plan, location of proposed utilities and drainage areas. He also presented letters from Deer Creek Water and Oklahoma City which stated that both entities would service the proposed development. Mr. Reiger then submitted a letter from the Army Corps of Engineers showing that there was not a 404 permit required for the development.

Mr. Benson asked what the median value of the homes in the development would be.

Mr. Reiger replied that he did not have a market value, but that all homes would be around 2000 square feet.

Mr. Keith Monroe, adjacent property owner, was present to voice his opposition to the proposed development for the following reasons:

- Increased traffic
- Increased flooding
- Aggravate existing flood prone areas
- Damage to bridge west of proposed development

Mr. Blough asked if the bridge structure would come in to play with installation of acceleration/deceleration lanes.

Mr. Rollins stated any work or construction that involved the bridge would be taken care of under the direction and advisement of the Oklahoma County Engineering Department.

Mr. Benson asked the applicant if he had spoken to the Deer Creek Fire Department. He added that he just wanted to make sure that the new developments did not overwhelm the fire districts.

Mr. Reiger stated that the staff report showed that Mr. Cory Beagles, Deer Creek Fire Chief, had no reservations about servicing the proposed development.

Mr. Jones stated that the Board should address Sheriff Whetsel's unenthusiastic response in the staff report for the Meadows @ MacArthur Park.

Mr. Reiger responded by stating that taxes would come with the new developments and therefore allowing for the hiring of more sheriff personnel.

Mr. Benson asked how long it would take the development to be filled completely.

Mr. Reiger answered that it would be a slow process of roughly 5 to 10 years before all lots were built.

Mr. Defuria motioned to approve the re-zoning application. Mr. Richey seconded the motion. Vote taken: Benson – Aye, Defuria – Aye, Jones – Aye, Richey – Aye, Blough – Aye.

**(Deferred Item) Discussion and possible action to approve/deny the General Plat (GP-2014-01) of The Meadows @ MacArthur Park.**

Application of: **SOONER TRADITIONS, LLC**

The applicant proposed developing a single-family, residential subdivision with 123 lots on 43.93 acres. The following is the legal description of the property:

**A part of the North Half (N/2) of the Northeast Quarter (NE/4) of Section Thirty-Three (33), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma more particularly described as follows: Commencing at the Northeast corner of the NE/4 of said Section 33; Thence S89°55'19"W along the North line of said NE/4, a distance of 1185.00 feet to the Point of Beginning; Thence S89°55'19"W along the North line of said NE/4 a distance of 1448.98 feet to the Northwest corner of said NE/4; Thence S00°06'49"W along the West line of said NE/4 a distance of 1321.61 feet to the Southwest corner of the N/2 of said NE/4; Thence N89°51'43"E along the South line of the N/2 of said NE/4 a distance of 1448.98 feet; Thence N00°01'43"E a distance of 1320.08 feet to the Point of Beginning.**

**Location: NW 178<sup>th</sup> & MacArthur Blvd. (County Highway District #3)**

Mr. Gammon stated that all general plat requirements had been met.

Mr. Gammon read notes left by the County Engineer which stated that the roads had to have a minimum 60 foot right-of-way, a traffic study would be required and that several lots seemed to be in conflict with the utility easements existing on the property.

Mr. Richie asked about the utility easement on the property.

Mr. Steve Rollins stated that there was a high pressure ONG gas line that ran east to west across the property. He added that the easement would fall in either a front, rear or side yard. He stated as well that no structures would be built in the easement.

Mr. Blough asked if the traffic studies done for Mayflower and the Meadows @ MacArthur Park would be considered collectively in order to look at the totality of the development in the area.

Mr. Gammon replied that traffic studies should take in to consideration all surrounding developments and even proposed future developments in order to obtain an accurate model for traffic flow and possible installation of traffic control measures.

Mr. Jones asked how wide the streets were.

Mr. Steve Rollins, applicant, stated that currently the streets showed a 50 foot right-of-way, but that he would reconfigure the application before the preliminary plat phase to comply with the 60 foot right-of-way requirement.

Mr. Richey asked if the detention pond was a part of the re-zoning.

Mr. Rollins stated that the pond was a part of the re-zoned property.

Mr. Benson motioned to approve the general plat application. Mr. Defuria seconded the motion. Vote taken: Benson – Aye, Defuria – Aye, Jones – Aye, Richey – Aye, Blough – Aye. The general plat of the Meadows @ MacArthur Park was approved.

**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 206<sup>th</sup> & May Avenue (County Highway District # 3)**

Mr. Gammon stated that the applicant had submitted a letter requesting deferral of the application until the July 12, 2014 Planning Commission meeting.

Mr. Blough motioned to accept the deferral request. Mr. Richey the seconded. Vote taken: Benson – Aye, Defuria – Aye, Jones – Aye, Richey – Aye, Blough – Aye. The item was deferred until the July Planning Commission meeting.

**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 206<sup>th</sup> & May Avenue (County Highway District # 3)

Mr. Gammon stated that the applicant had submitted a letter requesting deferral of the application until the July 12, 2014 Planning Commission meeting.

Mr. Blough motioned to accept the deferral request. Mr. Richey seconded. Vote taken: Benson – Aye, Defuria – Aye, Jones – Aye, Richey – Aye, Blough – Aye. The item was deferred until the July Planning Commission meeting.

**Discussion and possible action to receive May 2014 Fee Fund Report.**

Mr. Benson motioned to receive the fee fund report. Mr. Richey seconded. Vote taken: Benson – Aye, Defuria – Aye, Jones – Aye, Richey – Aye, Blough – Aye. The May 2014 Fee Fund report was received.

**New Business:**

There was no new business.

**Adjournment:**

Mr. Richey motioned to adjourn the meeting. Mr. Benson seconded the motion. Vote taken: Benson – Aye, Defuria – Aye, Jones – Aye, Richey – Aye, Blough – Aye. The meeting adjourned at 2:36 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2014

**OKLAHOMA COUNTY  
PLANNING COMMISSION**

\_\_\_\_\_  
**James Benson, Vice-Chairman**

ATTEST:

\_\_\_\_\_  
Tyler Gammon, Jr., Secretary