

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

November 13, 2014

1:31 p.m.

The meeting of the Oklahoma County Planning Commission convened and was called to order by Mr. Will K. Jones, Chairman, at 1:31 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
Ms. Irene Martin, Member
Mr. David Richey, Member
Mr. Roger Holloway, Member
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: (August 14, 2014)

Mr. Holloway motioned to approve the minutes as submitted. Ms. Johnson seconded. Vote taken: Benson – Aye, Defuria – Aye, Martin – Aye, Jones – Aye, Richey – Aye, Holloway – Aye, Johnson - Aye. The minutes were approved.

(Deferred Item): Discussion and possible action to approve/deny a zoning change from AA – Agricultural and Rural Residential District to a Revised Planned Unit Development (PUD-2014-02).

Application of: **S. MARK WARD**

This application was denied 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 the applicant revised his PUD to allow for a larger buffer zone between his storage units and adjacent properties. The applicant proposed expanding an existing storage facility that is currently on 4.98 acres of an 11.00 acre parcel. If approved, the PUD would allow the expansion of personal storage facilities on the remaining acreage. The use on the entire 11 acres will be restricted to personal storage only per the PUD design statement. The following is the legal description of the property:

A tract of land described as follows: Beginning at a point 792 feet North of the Southwest corner of the Northwest Quarter (NW/4) of Section Five (5), Township Fourteen (14) North, Range Two (2) West of the Indian Meridian, in Oklahoma County, Oklahoma; thence North

726 feet; thence East 660 feet; thence South 726 feet; thence West 660 feet to the point or place of beginning.

Location: 6600 N. Coltrane Rd. (County Highway District#3)

Mr. Gammon distributed the staff report and gave a brief description of the application stating that the item had been heard by the Board of County Commissioners and returned to the Planning Commission for reconsideration. He added that the applicant had made several changes to the PUD statement. Mr. Gammon also reminded the Board that the applicant had tried to rezone the property to general commercial at an earlier meeting but had been turned down by the Planning Commission and the Board of County Commissioners.

Mr. Paul Lefebvre, attorney for the applicant, was present to speak on behalf of the application. He stated that, as mentioned earlier, his client had previously tried to simply rezone the property and was unsuccessful in that attempt. He stated that his client had amended the PUD statement after being denied by the Planning Commission. He added that the BOCC took no action on the application and returned it to the Planning Commission for reconsideration. After receiving feedback from the BOCC and neighboring property owners, Mr. Ward had decided to make the following changes to his PUD statement:

- Include twenty-five foot (25') landscape barrier along the southern and eastern boundaries
- All trees would remain in the barrier except those deemed a fire hazard by the State Fire Marshal
- Sight-proof fencing along southern and eastern property lines
- Install directional LED lighting to minimize disturbance to neighbors
- Will not install an additional entrance
- All buildings along the southern landscape border will open to the north

Mr. Richey asked what kind of fencing would be used.

Mr. Ward, applicant, stated that he would use a six foot (6') chain-link fence with slats.

Ms. Johnson asked Mr. Ward if he had met with his neighbors.

Mr. Ward replied that he had met with his southern neighbor but had not come to a consensus on all points of the PUD.

Mr. Jones asked how the County would enforce the twenty-five foot (25') barrier.

Ms. Crawford stated that the barrier would a part of the PUD and the applicant would be in violation of the PUD statement if all the trees were removed. It would be the applicant's obligation to maintain the landscape barrier at all times.

Ms. Crawford asked the applicant and his attorney to clarify what specific changes had been made to the PUD as opposed to the original.

Mr. Ward answered that the two biggest changes from the original PUD were installation of the landscape barrier and the directional lighting. He stated that he also changed the orientation of the southernmost storage buildings so that all entry would be from the north.

Ms. Johnson asked what the storage facility's hours of operation would be.

Mr. Ward stated that his hours of operation would be from 6 a.m. to 10 p.m. He added that these hours were conducive to customers bringing in RV's and boats after weekends on the lake. He added that in the City of Edmond, residents are not allowed to park the above mentioned vehicles in their driveways or on the street.

Mr. Stewart Kennedy and Mr. Robert Caplener, adjacent property owners, were present to voice their opposition to the project. They stated that they felt that the proposed PUD did not follow the goals of the Oklahoma County Master Plan, there were no other commercial developments that far south on Coltrane and that the development offered no benefit to the neighbors.

Ms. Johnson asked the protestors what it would take to make them comfortable with the proposed PUD.

Mr. Kennedy and Mr. Caplener listed the following demands:

- Seventy-five foot (75') landscape barrier
- No trees removed
- No sight-proof fencing along the property line
- No lights on the perimeter of the development
- No 24 hour access
- Only one entrance

Mr. Richey asked Mr. Ward if he would be amenable to increasing the landscape barrier to forty feet (40').

Mr. Ward stated that he was not comfortable with that large of a barrier. He added that he would agree to thirty-five feet (35') of landscape buffer along the south and east.

Ms. Johnson motioned to approve the amended PUD to include the thirty-five foot landscape barrier. Mr. Richey seconded the motion.

Mr. Kennedy asked that the fencing not be constructed on the property line.

Ms. Crawford stated that the zoning regulations indicate that applicants can use sight-proof screening or fencing.

The Board discussed that the applicant did need some type of fencing for security purposes.

Mr. Ward stated that he would be agreeable to installing a chain-link fence without the slats.

Mr. Kennedy suggested that Mr. Ward place the fence on the north side of the landscape barrier.

Mr. Lefebvre stated that if he allowed his client to place his fence thirty-five feet (35') north of his property line, he would essentially be giving his property away through adverse possession.

Ms. Sharon Penner and Ms. Casey Kennedy, adjacent property owners, were also present to voice their opposition to the fencing along the property line.

Mr. Jones asked for a re-cap of all the requirements placed upon the amended PUD:

- Thirty-five foot (35') landscape barrier along eastern and southern boundaries
- Six-foot (6') chain-link fence without slats on the southern and eastern property lines
- All southern buildings will open only to the north
- Directional lighting
- One entrance
- Hours of operation: 6 a.m. to 10 p.m.
- Remove language regarding removal of trees due to possible fire hazards

Vote taken: Benson – Aye, Defuria – Aye, Martin – Aye, Jones – Aye, Richey – Aye, Holloway – Aye, Johnson - Aye. The PUD was approved with the stipulations listed.

(Deferred Item): Discussion and possible action to approve/deny a zoning change from AA – Agricultural and Rural Residential District to a Revised Planned Unit Development (PUD-2014-01).

Application of: **CRAFTON TULL**

This application was denied 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 the applicant redesigned his PUD to allow for larger residential lots on the West side of the property. The applicant proposed developing a single-family residential subdivision in accordance with the proposed PUD. If approved the subdivision (**Estates at Coffee Creek**) will have 163 one-half acre or larger residential lots and one 8.17 acre commercial lot on a 155 acre tract. The following is the legal description of the property:

A tract of land situated within a portion of the Southeast Quarter (SE/4) of Section Seven (7), Township Fourteen (14) North, Range Three (3) West of the Indian Meridian (I.M.) in Oklahoma County, Oklahoma, being more particularly described as follows: ALL of the SE/4 of said Section 7, LESS AND EXCEPT that 5 acre tract referenced in the Special Warranty Deed filed in the Office of the Oklahoma County Clerk in Book 8036, Page 120, being more fully described as the East Half (E/2) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section Seven (7), Township Fourteen (14) North, Range Three (3) West of the Indian Meridian (I.M.). Said tract contains approximately 155 acres, more or less.

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

Mr. Gammon stated that the applicant had sent a letter requesting a deferral until the next Planning Commission meeting.

Ms. Johnson motioned to accept the deferral request. Mr. Richey seconded the motion. Vote taken: Benson – Aye, Defuria – Aye, Martin – Aye, Jones – Aye, Richey – Aye, Holloway – Aye, Johnson – Aye. The item was deferred until the December 11, 2014 Planning Commission meeting.

(Deferred Item): Discussion and possible action to approve/deny the General Plat of Estates at Coffee Creek (GP-2014-04).

Application of:

CRAFTON TULL

The applicant proposed developing a single-family residential subdivision in accordance with the proposed PUD. If approved the subdivision would have 169 one-half acre residential lots and one 9.84 acre commercial lot on a 155 acre tract. The following is the legal description of the property:

A tract of land situated within a portion of the Southeast Quarter (SE/4) of Section Seven (7), Township Fourteen (14) North, Range Three (3) West of the Indian Meridian (I.M.) in Oklahoma County, Oklahoma, being more particularly described as follows: ALL of the SE/4 of said Section 7, LESS AND EXCEPT that 5 acre tract referenced in the Special Warranty Deed filed in the Office of the Oklahoma County Clerk in Book 8036, Page 120, being more fully described as the East Half (E/2) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section Seven (7), Township Fourteen (14) North, Range Three (3) West of the Indian Meridian (I.M.). Said tract contains approximately 155 acres, more or less.

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

Mr. Gammon stated that the applicant had sent a letter requesting a deferral until the next Planning Commission meeting.

Ms. Martin motioned to accept the deferral. Mr. Defuria and Mr. Benson seconded simultaneously. Vote taken: Benson – Aye, Defuria – Aye, Martin – Aye, Jones – Aye, Richey – Aye, Holloway – Aye, Johnson – Aye. The item was deferred until the December 11, 2014 Planning Commission meeting.

Discussion and possible action to receive August, September and October 2014 Fee Fund Reports.

Mr. Richey motioned to receive all three reports. Mr. Holloway seconded. Vote taken: Benson – Aye, Defuria – Aye, Martin – Aye, Jones – Aye, Richey – Aye, Holloway – Aye, Johnson – Aye. The fee funds reports from August, September and October were received.

New Business: In accordance with the open Meetings Act, Section, 311.9, New Business is defined, as any matter not known about or which could not have been reasonably foreseen prior to the time of posting the Agenda.

There was no new business.

Adjournment:

Mr. Richey motioned to adjourn the meeting. Ms. Johnson seconded the motion. Vote taken: Benson – Aye, Defuria – Aye, Martin – Aye, Jones – Aye, Richey – Aye, Holloway – Aye, Johnson - Aye. The meeting adjourned at 2:39 p.m.

Approved this _____ day of _____, 2014

**OKLAHOMA COUNTY
PLANNING COMMISSION**

Will K. Jones, Chairman

ATTEST:

Tyler Gammon, Jr., Secretary