

# M I N U T E S

## OKLAHOMA COUNTY PLANNING COMMISSION

August 20, 2015

1:30 p.m.

The meeting of the Oklahoma County Planning Commission convened and was called to order by Mr. James Benson, Vice-Chairman, at 1:30 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. Ray Vaughn, County Commissioner, District 3**

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.

### **Approval of Minutes of the Previous Meeting: (July 16, 2015)**

Ms. Martin motioned to approve the minutes of the previous meeting. Mr. Richey seconded. Vote taken: Benson – Aye, Vaughn – Aye, Defuria – Aye, Martin – Aye, Richey – Aye. The minutes were approved as submitted.

### **Discussion and possible action to approve/deny the Preliminary Plat of The Meadows at MacArthur Park (PP-2015-01).**

Application of:

#### **SOONER TRADITIONS**

The applicant proposed developing a single family residential subdivision with 120 lots on 43.92 acres. Minimum lot size would be 6,000 square feet. 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 staff had received a letter from the applicant requesting a deferral of the item.

Mr. Sean Reiger was present on behalf of Sooner Traditions and asked that the Board honor the deferral request.

Mr. Tom Fisher, Sportsman Lake Estates HOA President, asked about the floodplain areas in the proposed development and the actual acreage involved in the plat.

Mr. Kamron Massumi, attorney for the adjacent property owner, stated that his client wished to protest the development and read the protest letter that he composed. The letter had been forwarded to the Planning Commission prior to the meeting.

Mr. Johnny Harper, general manager at the industrial facility adjacent to proposed development, was present to voice his opposition to the case. He stated that the noise produced on his property would not be conducive to a residential neighborhood being right next door. He added that there would also be dust or particles produced by his industrial operation that would be carried by the wind right in to the proposed development.

Mr. Reiger stated that the protests were invalid at this point. He added that the zoning and general plat had already been approved at previous planning commission meetings.

Mr. David Jones, adjacent property owner to the west, was concerned with increased flooding on his property.

Ms. Crawford and Mr. Trumbo stated that the preliminary plat phase was the fact finding phase of the development process and many of the issues brought up by the residents would be resolved at this phase.

Mr. Richey motioned to accept the deferral request until the September planning commission meeting. Ms. Martin seconded the motion. Vote taken: Benson – Aye, Vaughn – Aye, Defuria – Aye, Martin – Aye, Richey – Aye. The item was deferred until the September 17, 2015 planning commission meeting.

Mr. Gammon excused himself from the meeting.

**Discussion and possible action to approve/deny a zoning change from AA-Agricultural and Rural Residential District to CR-Rural Commercial District (Z-2015-05)**

Application of: **CHARLES & DEBBIE KELLEY**

The applicant requested the zoning change to construct and operate a fence construction company (**C & D Fence Company**) on a 1.7 acre parcel. The following is the legal description of the property to be considered:

**A part of the Northwest Quarter (NW/4) of Section Thirteen (13), Township Eleven (11) North, Range One (1) East of the Indian Meridian, Oklahoma County, Oklahoma, more particularly described as follows: Beginning at a point 1448.5 feet East of the Northwest**

**corner of the said NW/4 of said Section 13, Township 11 North, Range 1 East of the Indian Meridian and running thence East 231.25 feet; thence South 329 feet; thence West 231.25 feet; thence North 329 feet to the point of beginning.**

**Location: 21308 SE 29<sup>th</sup> St. (County Highway District #2)**

Mr. Brandt gave the staff report and stated that the applicant wished to move the business out of the city limits of Harrah. He added that they would have minimal storage on site.

Mr. Vaughn asked if there were any other commercial tracts in the area.

Mr. Brandt replied that there was a commercial corner less than one-half mile west of the proposed re-zoning. He added that the properties on all sides of the re-zoning site were AA-Agricultural and Rural Residential.

Ms. Debra Kelley, applicant, stated that she purchased the property right next to her home in hopes of locating her business there. She added that she was leasing the property at her current business location.

There was no one present to speak for or against the application.

Mr. Richey motioned to approve the zoning change request. Mr. Defuria seconded. Vote taken: Benson – Aye, Vaughn –Aye, Defuria – Aye, Martin – Aye, Richey – Aye. The item was approved.

**Discussion and possible action to approve/deny the Re-plat (RE-2015-02) of Villagio at Deer Creek, Lots 1 and 2, Block 2.**

Application of: **DEER CREEK FARM DEVELOPMENT, LLC**

The applicant proposed a lot line adjustment between properties to settle a property line dispute. The following is the legal description of the properties:

**Lot One (1), in Block Two (2), of Re-Plat of Villagio at Deer Creek I, Oklahoma County, Oklahoma according to the recorded plat thereof.**

**Lot Two (2), in Block Two (2), of Re-Plat of Villagio at Deer Creek I, Oklahoma County, Oklahoma according to the recorded plat thereof.**

**Location: NW 220<sup>th</sup> & N. Meridian Ave (County Highway District #3)**

Mr. Brandt gave a brief summary of the application stating that the case was a simple lot line adjustment. He added that a similar case in the same subdivision had been heard previously.

Mr. Vaughn asked if the same person owned both lots.

Mr. Brandt answered that both lots were owned by the same individual but that he still had to request a re-plat in order to move the property line between the two lots.

There was no one present to speak for or against the case.

Mr. Richey motioned to approve the re-plat application. Mr. Defuria seconded the motion. Vote taken: Benson – Aye, Vaughn –Aye, Defuria – Aye, Martin – Aye, Richey – Aye. The item was approved.

**Discussion and possible action to approve/deny a zoning change from AA-Agricultural and Rural Residential District to a Planned Unit Development (PUD-2015-02).**

Application of: **D.W. CONVERSE for POINTON PROPERTIES**

The applicant proposed developing a mixed use PUD with a commercial tract for a personal storage facility and an adjacent residential tract that encompasses four (4) one (1) acre single family residential lots. If approved the PUD would encompass 7.270 acres more or less. The following is the legal description of the property:

**A tract of land located in the Northeast Quarter (NE/4) of Section Fifteen (15), Township Eleven (11) North, Range One (1) West of the Indian Base and Meridian, Oklahoma County, Oklahoma, and being described as follows:  
BEGINNING at a point 33 feet West and 75 feet south of the Northeast Corner of said NE/4; thence South 00°00'06" West, a distance of 165.00 feet; thence South 88°53'35" West and along the centerline of an abandoned railroad right-of-way, a distance of 1687.76 feet; thence North 00°00'06" East, a distance of 210.36 feet to a point on the South right-of-way line of Southeast 29th Street (a public road); thence South 89°34'01" East, a distance of 1687.49 feet to the POINT OF BEGINNING. Said tract of land contains 7.270 acres, more or less.**

**Location: SE 29<sup>th</sup> & Henney Rd. (County Highway District #2)**

Mr. Brandt distributed the staff report and stated that the applicant wished to create a PUD with commercial and residential combined. He added that the east side of the property would be commercial with 4 residential lots to the west with one home on each lot.

Mr. Richey asked about ingress and egress for the residential lots.

Mr. Brandt stated that every two lots would share a driveway. Instead of four drives there would only be two.

Mr. Vaughn noticed in the staff report that it stated that there were some unresolved issues regarding the PUD statement. He asked if those issues had been satisfied.

Mr. Brandt replied that planning staff had been in contact with the applicant since publication of the staff report and all issues and questions had been answered.

Mr. D.W. Converse, engineer for the applicant, restated Mr. Brandt's summary stating that there would be 4 residential lots sharing two driveways and a commercial corner with leased retail spaces. He added that his client wished to provide services that were not readily available in the area.

Mr. Richey asked about the ingress and egress to the commercial tract on the east end.

Mr. Converse stated that County staff had asked him to restrict access off of Henney Rd. due to traffic concerns and limit access to two openings off of SE 29<sup>th</sup> St.

Mr. Richey asked if there would be an acceleration/deceleration lane along SE 29<sup>th</sup> St.

Mr. Converse replied that instead of constructing the actual lane, he and his client would submit the "Fee in Lieu of". He added that at such time the road was improved their funds would be in place to allow the County to construct the acceleration/deceleration lane.

Mr. Richey asked how maintenance of the shared drives would be handled.

Mr. Converse stated that there would be restrictive covenants that detailed how the drives would be maintained between property owners.

Mr. Pat Pointon, applicant, stated that there would also be deed restrictions outlining each parties' responsibility in addition to the restrictive covenants.

There was no one present to speak for or against the application.

Ms. Martin motioned to approve the PUD application. Mr. Richey seconded. Vote taken: Benson – Aye, Vaughn –Aye, Defuria – Aye, Martin – Aye, Richey – Aye. The PUD application was approved.

**Discussion and possible action to approve/deny the General Plat of Pointon's Oakwood Station (GP-2015-05).**

Application of: **D.W. CONVERSE for POINTON PROPERTIES**

The applicant proposed developing a mixed use PUD with a commercial tract for a personal storage facility and an adjacent residential tract that encompasses four (4) one (1) acre single family residential lots. If approved the applicant would move forward with the project. The plat will encompass 7.270 acres more or less. The following is the legal description of the property:

**A tract of land located in the Northeast Quarter (NE/4) of Section Fifteen (15), Township Eleven (11) North, Range One (1) West of the Indian Base and Meridian, Oklahoma County, Oklahoma, and being described as follows:**

**BEGINNING at a point 33 feet West and 75 feet south of the Northeast Corner of said NE/4; thence South 00°00'06" West, a distance of 165.00 feet; thence South 88°53'35" West and along the centerline of an abandoned railroad right-of-way, a distance of 1687.76 feet; thence North 00°00'06" East, a distance of 210.36 feet to a point on the South right-of-way line of Southeast 29th Street (a public road); thence South 89°34'01" East, a distance of 1687.49 feet to the POINT OF BEGINNING. Said tract of land contains 7.270 acres, more or less.**

**Location: SE 29<sup>th</sup> & Henney Rd. (County Highway District #2)**

Mr. Brandt stated that his application was a companion item to the PUD. He added that it was a general concept and design for the proposed project.

Mr. Converse stated for the record that there would not be a personal storage facility in the commercial tract; only retail lease sites.

Mr. Richey motioned to approve the general plat application. Ms. Martin seconded the motion. Vote taken: Benson – Aye, Vaughn –Aye, Defuria – Aye, Martin – Aye, Richey – Aye. The general plat was approved.

**Discussion and possible action to receive July 2015 Fee Fund Report.**

Mr. Richey motioned to receive the fee fund report. Mr. Defuria seconded. Vote taken: Benson – Aye, Vaughn –Aye, Defuria – Aye, Martin – Aye, Richey – Aye, Holloway – Aye. The report was 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. Ms. Martin seconded. Vote taken: Benson – Aye, Vaughn –Aye, Defuria– Aye, Martin – Aye, Richey – Aye. The meeting was adjourned at 2:33 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2015

**OKLAHOMA COUNTY  
PLANNING COMMISSION**

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

ATTEST:

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Tyler Gammon, Jr., Secretary