

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

May 21, 2015

1:32 p.m.

The meeting of the Oklahoma County Planning Commission convened and was called to order by Mr. Will K. Jones, Chairman, at 1:32 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
Ms. Irene Martin, Member
Mr. Charles Defuria, Member
Mr. David Richey, Member
Mr. Roger Holloway, Member

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 Meeting: (April 16, 2015)

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

(Deferred Item) Discussion and possible action to approve/deny the General Plat of Covell Creek (GP-2015-03).

Application of:

GARRETT DEVELOPMENT, LLC

The applicant proposed developing a single-family, residential subdivision with 499 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. Paul Lefebvre, attorney for the applicant, asked that the Board grant his client a continuance until the August Planning Commission meeting. He stated that the proposed application was under review in Oklahoma County District Court. He added that there was a hearing scheduled for July 8, 2015 regarding the proposed development and felt it would be prudent to defer the item until after it had been heard in district court.

Mr. Aaron Gwartney, Deer Creek resident, stated the he was in favor of the deferral request.

Mr. Jones asked Mr. Lefebvre if he would agree to move the deferral request to the September Planning Commission meeting.

Mr. Lefebvre replied that he and his client would have no issue with moving the continued application to the September meeting.

Mr. Richey motioned to accept the deferral request. Mr. Benson seconded. Vote taken: Benson – Aye, Martin – Aye, Defuria – Aye, Jones – Aye, Richey – Aye, Holloway – Aye. The item was deferred and would be heard at the September 17, 2015 Planning Commission meeting.

Discussion and possible action to approve/deny a zoning change from CL-Urban Limited Commercial and Office District to CG-Urban General Commercial and Office District (Z-2015-01).

Application of: **PHILIP E. HUNTER**

The applicant proposed rezoning the property to allow seasonal sales of snow cones on an approximately 5 acre parcel. The following is the legal description of the property to be considered:

Beginning at the Southeast corner of the Southeast Quarter of Section 28, Township 14 North, Range 4 West of the Indian Meridian, Oklahoma County, Oklahoma; thence North along the East line of said Southeast Quarter a distance of 466.69 ft.; thence West 466.69 ft.; thence South 466.69 ft. to a point on the South line of said Southeast Quarter; thence East along the South line of said Southeast Quarter a distance of 466.69 ft., to point of beginning, containing five (5) acres, more or less.

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

Mr. Gammon gave a brief description of the staff report stating that the applicant wished to continue the seasonal sales of snow cones using a portable building as opposed to a trailer on wheels. He added that the only zoning classification that would allow “drive-thru” type operations was CG-Urban General Commercial and Office.

Mr. Jones stated that the snow cone stand had been in its current location for many years under the CL zoning classification. He added that under the CL zoning, the applicant was required to move the stand off-site daily. Under the CG zoning, Mr. Hunter could leave the stand on site permanently.

Ms. Crawford and Mr. Richey added that once the zoning was changed, the door would be open for any activity allowed under CG zoning.

The Board took a moment to read all of the allowed uses in CG zoning.

Mr. Philip Hunter, applicant, stated he requested the re-zoning at the advisement of planning staff because his stand would no longer be on wheels and would be considered a more permanent structure. Mr. Hunter added that the building would actually only be on-site about 6 months out of the year and that he would move the portable building to the north and west to increase the parking area and to make ingress and egress safer.

Mr. Hunter passed around pictures of the site.

Mr. Trumbo stated that county regulations required all drives to be a minimum of 200' from intersections. He added that the two entrances to the snow cone stand would have to meet that requirement.

Mr. Hunter stated that he would move the drives to meet the County requirements.

Mr. Richey motioned to approve the application with the stipulation that all drives to the snow cone stand would meet the 200' required separation from intersections. Mr. Holloway seconded. Vote taken: Benson – Aye, Martin – Aye, Defuria – Aye, Jones – Aye, Richey – Aye, Holloway – Aye. The item was approved.

Discussion and possible action to approve/deny a zoning change from AA- Agricultural and Rural Residential District to RA-Acreage Residential District (Z-2015-02).

Application of: **CRAFTON TULL**

The applicant proposed developing a single-family residential subdivision. Each lot would be a minimum of one (1) acre in size per the zoning request. If approved the subdivision (**Estates at Coffee Creek**) would have 114 lots on 146.120 acres. The following is the legal description of the property:

A tract of land situated within the Southeast Quarter (SE/4) of Section Seven (7), Township Fourteen North (T14N), Range Three West (R3W), of the Indian Meridian (I.M.), Oklahoma County, Oklahoma; being more particularly described as follows: Commencing at the Southeast corner of said SE/4; thence N89°14'44" along the South line of said SE/4 a distance of 750.00 feet to the Point of Beginning; thence continuing N89°14'44"W along said South line a distance of 1883.48 feet to the Southwest corner of said SE/4; thence N00°16'04"W along the West line of said SE/4 a distance of 2644.47 feet to the Northwest corner of said SE/4; thence S89°15'10"E along the North line of said SE/4 a distance of 2308.08 feet; thence S00°11'08"E a distance of 661.17 feet; thence S89°15'03"E a distance of 329.59 feet to a point on the East line of said SE/4; thence S00°10'26"E along said East line a distance of 1270.35 feet; thence S89°49'34"W a distance of 209.39 feet; thence S45°17'25"W a distance of 754.37 feet; thence S00°45'16"W a distance of 171.98 feet to the Point of Beginning. Said tract contains 6,364,967 square feet or 146.120 acres more or less.

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

Mr. Gammon gave the staff report stating that this piece of property had been heard previously by the Planning Commission as a PUD. He added that due to water and sewer issues, the applicant revised the application and came back with straight re-zoning.

Mr. Kendall Dillon, representing the applicant, explained that it had been almost one year since their original application. He added that through meetings with planning staff and Deer Creek residents, he and his client decided to decrease the density of the proposed development and in turn increase the lot sizes. He stated that each lot would be a minimum of one acre. Each lot

would be serviced by a private well and septic system. He also explained that the proposed development was in conformance with the neighboring properties.

Mr. Benson asked if test wells had been drilled to determine if there was sufficient and potable water in the area.

Mr. Glenn Foster, developer, stated that three 140-150' test wells had been drilled and each showed ample, potable water.

Mr. Jones asked if the developer had made any concessions on getting the neighborhood kids to the school across the street from the proposed development.

Mr. Dillon answered that interior sidewalks would be installed and one sidewalk would be installed up to the school. He also stated that he and his client would work with engineering staff in the design and placement of a crosswalk to the school.

Mr. Aaron Gwartney, Deer Creek resident, was present to commend the developer for hearing the communities' concerns and changing the plat to reflect that.

Mr. Trumbo stated that looking forward; the concern would always be water issues. He added that a study needed to be done for the Deer Creek area. He added that several areas in Deer Creek had water that was not potable.

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

Discussion and possible action to approve/deny the General Plat of Estates at Coffee Creek (GP-2015-04).

Application of: **CRAFTON TULL**

The applicant proposed developing a single-family residential subdivision. Each lot would be a minimum of one (1) acre in size per the zoning request. If approved the subdivision (**Estates at Coffee Creek**) would have 114 lots on 146.120 acres. The following is the legal description of the property:

A tract of land situated within the Southeast Quarter (SE/4) of Section Seven (7), Township Fourteen North (T14N), Range Three West (R3W), of the Indian Meridian (I.M.), Oklahoma County, Oklahoma; being more particularly described as follows: Commencing at the Southeast corner of said SE/4; thence N89°14'44" along the South line of said SE/4 a distance of 750.00 feet to the Point of Beginning; thence continuing N89°14'44"W along said South line a distance of 1883.48 feet to the Southwest corner of said SE/4; thence N00°16'04"W along the West line of said SE/4 a distance of 2644.47 feet to the Northwest corner of said SE/4; thence S89°15'10"E along the North line of said SE/4 a distance of 2308.08 feet; thence S00°11'08"E a distance of 661.17 feet; thence S89°15'03"E a distance of 329.59 feet to a point on the East line of said SE/4; thence S00°10'26"E along said East line a distance of 1270.35 feet; thence S89°49'34"W a distance of 209.39 feet; thence S45°17'25"W a distance of 754.37 feet; thence S00°45'16"W a distance of 171.98 feet to the Point of Beginning. Said tract contains 6,364,967 square feet or 146.120 acres more or less.

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

Mr. Gammon gave the staff report stating that this was a general layout of the proposed plat.

Mr. Kendall Dillon, representing the applicant, stated that this was a companion item to the rezoning application. He added that each lot would be a minimum of one acre.

Sidewalks and the proposed school crossing were discussed again.

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

Mr. Jones congratulated the developer on reaching an agreement with the residents in the area and designing a very imaginative development.

Discussion and possible action to approve/deny a zoning change from AA- Agricultural and Rural Residential District to a Planned Unit Development (PUD-2015-01).

Application of: **CRAFTON TULL**

The applicant proposed developing a commercial tract within the CG-Urban General Commercial and Office District uses, providing limited commercial services to surrounding housing developments as well as some local office space. If approved the commercial subdivision (**The Marketplace at Coffee Creek**) would encompass 8.87 acres. The following is the legal description of the property:

Tract 1: A tract of land situated with the Southeast Quarter (SE/4) of Section Seven (7), Township Fourteen North (T14N), Range Three West (R3W), of the Indian Meridian (I.M.), Oklahoma County, Oklahoma; being more particularly described as follows: Beginning at the Southeast corner of said SE/4; thence N89°14'44"W along the South line of said SE/4 a distance of 434.44 feet; thence N00°45'16"E a distance of 261.64 feet; thence N45°13'45"E a distance of 265.34 feet; thence N89°49'34"E a distance of 241.20 feet to a point on the East line of said SE/4; thence S00°10'26"E along said East line a distance of 454.94 feet to the Point of Beginning. Said tract contains 177,146 square feet or 4.07 acres more or less.

Tract 2: A tract of land situated within the Southeast Quarter (SE/4) of Section Seven (7), Township Fourteen North (T14N), Range Three West (R3W), of the Indian Meridian (I.M.), Oklahoma County, Oklahoma; being more particularly described as follows: Commencing at the Southeast corner of said SE/4; thence N89°14'44"W along the South line of said SE/4 a distance of 434.44 feet to the Point of Beginning; thence continuing N89°14'44"W along said South line a distance of 315.56 feet; thence N00°45'16"E a distance of 171.98 feet; thence N45°17'25"E a distance of 754.37 feet; thence N89°49'34"E a distance of 209.39 feet to a point on the East line of said SE/4, thence S00°10'26"E along said East line a distance of 258.25 feet; thence S89°49'34"W a distance of 241.20 feet; thence S45°13'45"W a distance of 265.34 feet; thence S00°45'16"W a distance of 261.64 feet to the Point of Beginning. Said tract contains 209,155 square feet or 4.80 acres more or less.

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

Mr. Gammon stated that the applicant was requesting a commercial PUD adjacent to the Estates @ Coffee Creek. He added that commercial PUD's were rare and all development would be regulated by the PUD statement.

Mr. Kendall Dillon, representing the applicant, stated in his previous commercial application there was a total of 9.8 acres. He added that the proposed PUD would only encompass 8.87 acres. He added that each tract would have specific uses. Tract one would only be able to utilize 18 of the 51 uses in the CG – Urban General Commercial and Office district. Tract two would only be able to utilize 3 of the 51 uses in the CG zoning district. He also added that only 8 foot monument signs would be allowed with a minimum of 25 square feet of landscaping around each sign.

Mr. Defuria asked if the PUD would have well and septic.

Mr. Dillon stated that currently the PUD would have well and septic. If in the future water or sewer services became available, they would surely be utilized.

Mr. Dillon explained that PUD applications require a minimum of 15% common area. He asked if parking and drives could be used as 7 ½% of the proposed PUD's open space. He added that this request was stated in the actual PUD statement.

Mr. Trumbo asked if there would be a common well or individual wells to service the PUD.

Mr. Dillon replied that he could not definitively answer that question. He added that the number of wells would be dependent upon what types of businesses were actually developed and what their water consumption would be.

Mr. Kevin Ewing, Deer Creek resident, asked what the 18 uses for tract one actually were.

Mr. Gammon gave Mr. Ewing a copy of the PUD statement.

Mr. Barry Cunningham, Deer Creek resident, asked who would govern the PUD.

Mr. Gammon and Ms. Crawford answered that development would be governed by the PUD statement. They added that the Oklahoma County Planning Commission would issue permits for those uses allowed in the PUD statement.

Ms. Kim Tullis, Deer Creek resident, was present to ask questions about the development process.

Mr. Aaron Gwartney, Deer Creek resident, stated that he felt that the proposed PUD was consistent with the Master Plan and the transitional zone concept.

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

Discussion of Master Plan Public Meetings.

Mr. Jones, Mr. Defuria and Mr. Benson commended Mr. Brandt and Mr. Trumbo for their presentations at the Master Plan public meetings in Deer Creek and Luther. They felt that the information given was very concise and educational.

Mr. Gammon stated that the meeting in District #2 would be sometime in June. He added that they were looking for a venue to hold the meeting.

Discussion and possible action to receive April 2015 Fee Fund Report.

Mr. Benson motioned to receive the report. Mr. Richey seconded. Vote taken: Benson – Aye, Martin – Aye, Defuria – Aye, Jones – Aye, Richey – Aye, Holloway – Aye. The April 2015 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. Holloway motioned to adjourn. Ms. Martin seconded. Vote taken: Benson – Aye, Martin – Aye, Defuria – Aye, Jones – Aye, Richey – Aye, Holloway – Aye. The meeting was adjourned at 2:44 p.m.

Approved this _____ day of _____, 2015

**OKLAHOMA COUNTY
PLANNING COMMISSION**

James Benson, Vice Chairman

ATTEST:

Tyler Gammon, Jr., Secretary