

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

November 19, 2015

1:31 p.m.

The meeting of the Oklahoma County Planning Commission convened and was called to order by Mr. James Benson, Vice-Chairman, at 1:31 p.m., in Room 103, Oklahoma County Office Building, 320 Robert S. Kerr, with the following individuals present:

Mr. James Benson, Vice-Chairman
Ms. Irene Martin, Member
Mr. Charles Defuria, Member
Mr. David Richey, Member
Mr. Roger Holloway, 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: (October 15, 2015)

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

(Deferred Item) 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 178th & MacArthur Blvd. (County Highway District #3)

Mr. Gammon stated that staff had received a written deferral request from the applicant.

Mr. Sean Reiger, legal counsel for the applicant, requested a deferral for the item until the January 21, 2016 Planning Commission meeting. He stated that he and his client were still in negotiations with one of the utility providers in the area.

Ms. Martin motioned to approve the deferral request. Mr. Holloway seconded. Vote taken: Benson – Aye, Vaughn –Aye, Martin – Aye, Defuria - Aye, Richey – Aye, Holloway - Aye. The item was deferred until the January 2016 Planning Commission meeting.

Discussion and possible action to approve/deny a zoning change from IU-Urban Industrial District to CH-Highway Commercial District (Z-2015-08).

Application of: **CHRISTOPHER MORAN**

The applicant proposed providing an area for semiannual sales of fireworks. The following is the legal description of the property to be considered:

The North 200 feet of lot six (6), in block two (2), of Crutcho Park Addition, in Oklahoma County, Oklahoma, according to the recorded plat thereof.

Location: 6800 NE 23rd St. (County Highway District #1)

Mr. Gammon stated that the applicant was a property owner in the Crutcho Park Addition whom wished to operate a fireworks stand. He added that fireworks sales were only allowed to be sold in CH-Highway Commercial or AA-Agricultural and Rural Residential Districts.

Mr. Christopher Moran, applicant, stated that he wished to re-zone his property in order to sell fireworks along with the possibility of operating a vegetable stand and/or flea market.

Mr. Richey asked what had been previously located on the property.

Mr. Moran replied that there had been a convenience store and gas station. He added that he had removed the underground storage tanks and gas pumps.

Mr. Vaughn asked the applicant if he had received a “clean bill of health” from the Corporation Commission.

Mr. Moran replied that he had received approval from the Corporation Commission regarding removal of the underground fuel storage tanks. He added that all tests of the soil showed no contamination.

There was no one present to speak against the application.

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

Ms. Crawford wanted the applicant to be aware that he would still have to request a permit to sell fireworks.

Discussion and possible action to approve/deny a zoning change from AA-Agricultural and Rural Residential District to CG-Urban General Commercial and Office District (Z-2015-09).

Application of: **MARK RITCHIE for ZACHARY D. NEHER**

The applicant proposed developing a Boat, RV and Personal Storage Facility on an 8.5812 acre tract. The following is the legal description of the property to be considered:

A part of the Northeast Quarter (NE/4) of Section Two (2), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, Being more particularly described as follows:

Commencing at the Northwest Corner of the Northeast Quarter of said Section 2, Thence S 89°45'47" E along the North Line of the Northeast Quarter of said section 2, a distance of 1237.40 feet; Thence continuing S 89°45'47" E along the North line of the Northeast Quarter of said section 2, a distance of 196.07 feet; Thence S 00°14'13" W a distance of 33.00 feet to the south Right of Way Line of Waterloo Road; Thence S 79°06'56" E along the South Right of Way Line of Waterloo Road a distance of 254.38 feet; Thence S 89°45'47" E along the South Right of Way Line of Waterloo Road a distance of 150.00 feet; Thence S 85°11'21" E along the South Right of Way Line of Waterloo Road a distance of 501.60 feet; Thence S 81°43'05" E along the South Right of Way Line of Waterloo Road a distance of 166.98 feet; Thence S 44°39'41" E along the South Right of Way Line of Waterloo Road a distance of 66.35 feet to the West Right of Way Line of N. Portland Avenue and State Highway Number 74; Thence S 00°20'19" W along the West Right of Way Line of N. Portland Avenue and State Highway Number 74, a distance of 564.24 feet; Thence S 05°22'19" E along the West Right of Way Line of N. Portland Avenue and State Highway Number 74, a distance of 402.00 feet; Thence S 00°20'19" W along the West Right of Way Line of N. Portland Avenue and State Highway Number 74, a distance of 49.81 feet to THE POINT OF BEGINNING; Thence continuing S 00°20'19" W along the West Right of Way Line of N. Portland Avenue and State Highway Number 74, a distance of 134.99 feet to the North Line of the tract of land described in Corrected Warranty Deed recorded in Book 6356 Page 986; Thence S 89°59'10" W along the North Line of the tract of land described in Corrected Warranty Deed recorded in Book 6356 Page 986 and the tract of land recorded in Book 7888 page 95, a distance of 1074.50 feet; Thence N 35°28'17" E a distance of 365.42 feet; Thence N 30°29'57" E a distance of 73.71 feet; Thence N 51°42'19" E a distance of 131.54 feet; Thence N 86°32'37" E a distance of 444.00 feet; Thence S 57°56'19" E a distance of 135.35 feet; Thence S 12°41'22" W a distance of 70.99 feet; Thence S 00°20'19" W a distance of 41.33 feet; Thence S 89°39'41" E a distance of 106.17 feet to THE POINT OF BEGINNING. Containing 8.5812 Acres, more or less.

Location: Waterloo Rd. & Portland Ave. (County Highway District #3)

Mr. Gammon gave the staff report stating that the property was currently zoned AA – Agricultural and Rural Residential. He added that much of the property surrounding the proposed development was located in a FEMA designated floodplain. Mr. Gammon explained that the applicant was asking for Boat, RV and personal storage but once the property was rezoned all allowable uses under the CG zoning district could be utilized at the site.

Mr. Mark Ritchie, engineer on behalf of the applicant, was present to answer any questions.

Mr. Jones, whom was unable to be present, sent written stipulations for approval. Mr. Benson listed those stipulations as follows:

- All signage would be monument, ground or masonry style signs
- No poles signs of any height
- Required site proof fencing along south and east sides of property be built behind a 25 foot screen of trees or that a berm be built to sufficient height to block view of buildings from Portland Avenue and to the homes to the south

Mr. Ritchie explained that he and his client were in agreeance with the sign type request. He added that they would be constructing a monument style sign on the property. Mr. Ritchie stated that on the east side of the property there was close to 80 feet of Right-of-Way existing. He added that they would landscape and/or construct a berm along that Right-of-Way line. He went on to explain that he and his client had spoken to the property owner to the south and he would allow them to remove his barb-wired fence and replace it with a security fence. Mr. Ritchie also stated that after the grading was completed for the proposed development; the storage buildings would be below the line of site of the southern residents.

Mr. Vaughn asked if the applicant had received access to Hwy 74 from the Oklahoma Department of Transportation.

Mr. Ritchie replied that ODOT had replaced the newly constructed, commercial width driveway that accessed the proposed development.

There was no one present to speak against the application.

Mr. Holloway motioned to approve the application with the following conditions:

- Monument type signage only; no pole signs
- Required site proof fencing along south and east sides of property be built behind a 25 foot screen of trees or that a berm be built to sufficient height to block view of buildings from Portland Avenue and the homes to the south

Mr. Ritchie agreed to comply with all stated conditions.

Mr. Richey seconded the motion. Vote taken: Benson – Aye, Vaughn –Aye, Martin – Aye, Defuria - Aye, Richey – Aye, Holloway - Aye. The re-zoning application was approved with the conditions.

Discussion and possible action to approve/deny the General Plat of Jones Arbor (GP-2015-07).

Application of:

**RED PLAINS PROFESSIONAL, INC for
CONSTRUCTION CLEAN UP, LLC**

The applicant proposed developing a single-family residential subdivision. Each lot would be a minimum of five (5) acres in size. If approved the subdivision (**Jones Arbor**) would have 8 lots on 79.6537 acres. The following is the legal description of the property:

**The East Half (E/2) of the Southeast Quarter (SE/4) of Section Four (4), Township Twelve
(12) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma.
Location: NE 63rd & Hiwassee. (County Highway District #1)**

Mr. Gammon gave the staff report and stated that the proposed development had been before the Planning Commission at previous meetings.

Ms. Crawford gave a brief history of the Jones Arbor development. She stated that the subdivision was originally zoned to RA – Acreage Residential and then a neighbor filed a lawsuit requesting reversal of the RA zoning. She added that the property was then re-zoned back to AA which should have made the protesting individual happy.

Mr. Greg Massey, Red Plains Professional, stated that this application was simple and straight forward. He added that all lots would be served by private wells and septic systems.

Mr. Defuria asked how Lot 6 would access their property.

Mr. Massey answered that Lot 6 had access to their property from NE 63rd Street using a 30 foot easement along the west side of development.

Mr. Richey asked for the distance between driveways for all the lots.

Mr. Massey acknowledged that all lot accesses met or exceeded the 200 foot separation requirement.

There was no one present to speak against the application.

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

Discussion and possible action to approve/deny the Preliminary Plat of Jones Arbor (PP-2015-03).

Application of: **RED PLAINS PROFESSIONAL, INC for
CONSTRUCTION CLEAN UP, LLC**

The applicant proposed developing a single-family residential subdivision. Each lot would be a minimum of five (5) acres in size. If approved the subdivision (**Jones Arbor**) would have 8 lots on 79.6537 acres. The following is the legal description of the property:

The East Half (E/2) of the Southeast Quarter (SE/4) of Section Four (4), Township Twelve (12) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma.

Location: NE 63rd & Hiwassee. (County Highway District #1)

Mr. Gammon gave the staff report and stated that this was a companion item to the general plat application. He added that at this phase the applicant submitted a more detailed depiction of the proposed development and could begin construction. He explained that this development required no building of roads.

There was no one present to speak against the application.

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

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

Mr. Richey motioned to receive the fee fund report. Mr. Holloway seconded. Vote taken: Benson – Aye, Vaughn –Aye, Martin – Aye, Defuria - 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: Vaughn –Aye, Martin – Aye, Benson - Aye; Defuria - Aye, Richey – Aye, Holloway - Aye. The meeting was adjourned at 2:06 p.m.

Approved this _____ day of _____, 2015

**OKLAHOMA COUNTY
PLANNING COMMISSION**

James Benson, Vice-Chairman

ATTEST:

Tyler Gammon, Jr.,
Secretary