

# M I N U T E S

## OKLAHOMA COUNTY PLANNING COMMISSION

April 21, 2016

1:54 p.m.

The meeting of the Oklahoma County Planning Commission convened and was called to order by Mr. Will K. Jones, Chairman at 1:54 p.m., in Room 204, Oklahoma County Office Building, 320 Robert S. Kerr, with the following individuals present:

**Mr. Will K. Jones, 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: (March 17, 2016)**

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

**Discussion and possible action to approve Planning Commission Resolution #PC-2016-02 commending Mr. Donald Roger Holloway for 11 years of Meritorious Service to Oklahoma County and authorizing this resolution to be presented to his family at a later date in conjunction with honors from the Board of County Commissioners.**

Mr. Jones stated that the Oklahoma County Planning Commission had lost an outstanding servant to Oklahoma County. He added that Mr. Holloway would be sorely missed.

Mr. Jones read the resolution for the record.

Mr. Gammon stated that the resolution would be presented to the Holloway Family at a later date along with a resolution from the Board of County Commissioners.

Mr. Richey motioned to approve the resolution as submitted. Mr. Defuria seconded. Vote taken: Jones – Aye, Vaughn – Aye, Defuria – Aye, Richey – Aye, Martin – Aye. The resolution was approved.

**(Deferred Item) Discussion and possible action to approve/deny the Preliminary Plat of “Addington Place” formerly “Estates at Coffee Creek”.**

Application of: **CRAFTON TULL & ASSOCIATES for  
COFFEE CREEK & PENN, LLC**

The applicant proposed developing a portion of a single family residential subdivision with 44 lots on 56.6159 acres. The minimum lot size will be 1.0 acre. 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”W 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 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 1356.89 feet; thence S51°54'52”E a distance of 525.16 feet; thence N00°45'16”E a distance of 41.79 feet; thence S89°14'44”E a distance of 60.00 feet; thence S44°14'44”E a distance of 35.36 feet; thence S89°14'44”E a distance of 178.73 feet; thence N00°45'16”E a distance of 250.00 feet; thence N79°04'04”E a distance of 197.47 feet; thence S89°14'44”E a distance of 776.23 feet; thence S18°51'26”E a distance of 368.03 feet; thence S44°42'35”E a distance of 364.54 feet; thence N45°17'25”E a distance of 40.19 feet; thence S44°42'35”E a distance of 310.00 feet; thence S45°17'25”W a distance of 535.77 feet; thence S00°45'16”W a distance of 171.98 feet to the Point of Beginning.**

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

Mr. Gammon gave a brief summary of the application and stated that the applicant had now met all County requirements and submitted all required paperwork.

Mr. Kendall Dillon, applicant, was present to answer any questions. He explained that due to duplication in the City of Edmond they were required to change the name of the proposed development. He added that the zoning and general plat phases of the development had been approved last year.

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

**(Deferred Item) Discussion and possible action to approve/deny a zoning change from AA-Agricultural and Rural Residential District to Planned Unit Development (PUD-2016-01).**

Application of: **DAVID WHITE**

The applicant proposed developing a commercial parcel governed by specific units within the CL-Urban Limited Commercial and Office District as provided in the current Oklahoma County Zoning Regulations. If approved the parcel (**Cordon Business Park**) will encompass 6.717 acres. The following is the legal description of the property:

**A tract of land in the Southwest Quarter (SW/4) of Section Twenty- eight (28), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described with metes and bounds as follows: Commencing at the Southwest corner of said SW/4; Thence N89°42'31”E as the basis of**

**bearing on the South line of said SW/4 a distance of 986.88 feet to the Point of Beginning; Thence N00°19'06"W a distance of 538.00 feet; Thence N89°42'31"W a distance of 543.43 feet; Thence S00°24'35"E a distance of 538.00 feet to the South line of said SW/4; Thence S89°42'31"E on the South line of said SW/4 a distance of 544.28 feet to the Point of Beginning. This description contains 292,593 square feet or 6.717 acres, more or less.**

**Location: 6701 NW 178<sup>th</sup> St. (County Highway District #3)**

Mr. Gammon gave a brief summary of the application and explained that the applicant had hired a new engineer for his proposed development.

Mr. Jones asked how the water for the development would be provided.

Mr. Brandt explained that the applicant would use a well unless he was able to obtain Deer Creek Water.

Mr. Tim Johnson, engineer for the applicant, stated that he had rewritten the PUD and reduced the amount of allowable uses. He added that the use would be mainly only storage and some offices. He also added that Deer Creek Water was currently not taking any new applications. Mr. Johnson explained that one well would be sufficient for phase one of the project. He also explained that waste disposal would be through a septic system. Mr. Johnson went on to say that there would only be one access point for the project on the east side. He added that this drive would hopefully be shared with the neighbor to the east.

Mr. Jones asked if an acceleration/deceleration lane would be required.

Mr. Trumbo acknowledged that the applicant would have to install an additional lane along the frontage of his development.

Mr. Jones asked what kind of sign would be constructed for the development.

Mr. Johnson answered that a monument type sign would be used for the site.

Mr. Vaughn asked if the neighbor to the east was amiable to sharing a drive with the proposed development.

Mr. Johnson stated that he had not personally spoken with the eastern neighbor and was unsure of his feelings about sharing a drive.

Mr. Wendell Reed, eastern neighbor, stated that he was concerned about increased traffic and the possibility of the storage buildings being used for something else besides storage of equipment and/or equine supplies.

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

**Discussion and possible action to approve/deny the Final Plat of Grand La Haven (FP-2016-02).**

Application of: **OK INNOVATIVE CONSTRUCTION**

The applicant proposed developing a single family residential subdivision. Each lot would be a minimum of two (2) acres in size. If approved, the subdivision (**Grand La Haven**) would have 6 lots on 15.606 acres. The following is the legal description of the property:

**All of Government Lot Two (2) and the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4), also described as the West Half (W/2) of the Northeast Quarter (NE/4) of Section Five (5), Township Eleven (11) North, Range One (1) East of the Indian Meridian, Oklahoma County, Oklahoma.**

**Location: Reno Ave West of Peebly Rd. (County Highway District #2)**

Mr. Gammon gave a brief summary of the application and stated that no roads had to be built and that all requirements had been met.

Mr. John Fowler, applicant, was present to answer questions.

Mr. Jones asked the applicant if he would inform potential home owners of the required erosion control procedures needed for each lot.

Mr. Gammon explained that any erosion control issues would also be handled in the building permit process.

Mr. Defuria motioned for approval. Mr. Richey seconded. Vote taken: Jones – Aye, Vaughn – Aye, Defuria – Aye, Richey – Aye, Martin – Aye. The final plat application was approved.

**Discussion and possible action to approve/deny a zoning change from AA – Agricultural and Rural Residential District to Planned Unit Development (PUD-2016-02).**

Application of: **JODIE RUSSELL dba SWISHER INVESTMENTS**

The applicant proposed bringing the property into compliance with current zoning regulations and legalizing an existing Events Center (**The Manor at Coffee Creek**) on 14.766 acres. If approved, the PUD would allow the owner to continue the operation and expand operations if deemed necessary under the guidelines of an approved PUD. The following is the legal description of the property:

**A part of the Northeast Quarter (NE/4) of Section Fourteen (14) Township Fourteen (14) North, Range Four (4) West, of the Indian Meridian, Oklahoma County, Oklahoma being more particularly described as follows: Commencing at a Mag Nail set at the Northeast corner of said Northeast Quarter (NE/4); Thence S 89 degrees 43 feet 45 inches W, along the North line of said Northeast Quarter (NE/4), a distance of 1325 feet, more or less, to a set Mag Nail; Thence S 00 degrees 15 feet 55 inches E, a distance of 33.00 feet, more or less, to a 3/8" Iron Rod set for the Point of Beginning on the South right-of-way line of NW 220th Street; Thence N 89 degrees 43 feet 45 inches E, along said right-of-way and parallel with the North line of said Northeast Quarter (NE/4), a**

distance of 152.49 feet, more or less, to a 3/8" Iron Rod set at the Northwest corner of tract described in Report of Commissioners recorded in Book 11906, Page 78; Thence along said tract described in said Report of Commissioners, for the following Eight (8) courses: Thence S 34 degrees 21' 51" E, a distance of 489.70 feet, more or less, to a set 3/8" Iron Rod; Thence S 08 degrees 19' 48" E, a distance of 176.78 feet, more or less, to a set 3/8" Iron Rod; Thence S 09 degrees 15' 44" W, a distance of 152.07 feet, more or less, to a set 3/8" Iron Rod; Thence S 00 degrees 11' 43" W, a distance of 725.02 feet, more or less, to a set 3/8" Iron Rod; Thence S 00 degrees 12' 00" E, a distance of 50.00 feet, more or less, to a set 3/8" Iron Rod; Thence S 58 degrees 22' 14" W, a distance of 105.48 feet, more or less, to a set 3/8" Iron Rod; Thence S 89 degrees 48' 00" W, a distance of 110.00 feet, more or less, to a set 3/8" Iron Rod; Thence S 00 degrees 12' 00" E, a distance of 155.00 feet, more or less, to a set 3/8" Iron Rod set at the Southwest corner of said tract; Thence S 89 degrees 48' 00" W, a distance of 220.53 feet, more or less, to a set 3/8" Iron Rod; Thence N 00 degrees 15' 55" W, a distance of 1,715.02 feet, more or less, to the Point of Beginning, Said described tract of land contains an area of 14.768 acres, more or less.

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

Mr. Gammon explained that staff had not received a letter from the property owner allowing Mr. Russell to re-zone the property.

Mr. Jodie Russell, applicant, stated that he had a lease with the property owner. He added that the owner needed time to speak with his attorney regarding potential noise concerns prior to issuing Mr. Russell a notarized letter allowing him to re-zone the property on his behalf.

Mr. Jones asked if the lease agreement had a stipulation in the wording that would allow him to rezone the property.

Mr. Russell replied that it was only a lease with the option to buy after 5 years.

Mr. Brandt gave a little history of the application and explained that the property had been a non-conforming use for several years. He added that once an additional building was constructed on the premises; the non-conforming status was revoked. He also added that a call from DEQ regarding septic issues on the property alerted Oklahoma County about the new structure.

The applicant requested a deferral.

There was discussion among the planning members and legal counsel about striking the item from the agenda or accepting the deferral request.

Mr. Richey motioned to defer the item for two months until the June Planning Commission meeting.

There was still some confusion and discussion on how to handle the application and deferral request.

Ms. Crawford stated that the applicant had made a "good faith" effort to bring the property into compliance with county regulations. She stated that the commission should not punish the applicant because the property owner was unhurried in getting him the necessary paperwork needed to complete the application.

Mr. Vaughn seconded the deferral request. Vote taken: Jones – Aye, Vaughn – Aye, Defuria – Aye, Richey – Aye, Martin – Aye. The item was deferred until the June 16, 2016, Planning Commission meeting.

**Discussion and possible action to approve/deny a Special Use Permit (SUP-2016-01)**

Application of:

**KENNETH E. PAYTON dba  
11 OAKS RANCH EVENTS, LLC**

The applicant proposed developing and operating a Special Events Center for weddings, business meetings, family gatherings and etc., on property that is zoned AA-Agricultural and Rural Residential. The property is currently vacant and encompasses 6.19 acres. The following is the site description to be considered:

**All of that part of the Southeast Quarter (SE/4) of Section Twelve (12), Township Fourteen (14) North, Range One (1) East of the Indian Meridian, Oklahoma County, Oklahoma, lying Northwesterly of the M.K. & T.RY. Right-of-Way as shown on map in Report of Appraisers, Recorded in 2 Misc. at page 351, more particularly described as follows: Commencing at the Northeast corner of the Southeast Quarter (SE/4) of said Section 12, Thence North 89°44'13" West on the North line of said SE ¼ a distance of 1704.33 feet to the Point of Beginning; Thence continuing North 89°44'13" West a distance of 946.25 feet to the Northwest corner of said SE ¼; Thence South 00°05'18" East on the West line of said SE ¼ a distance of 625.02 feet to the Northwesterly right-of-way line of said M.K. & T.RY.; Thence North 51°54'52" East on said right-of-way line a distance of 260.10 feet; Thence Northeasterly on a curve to the right with a radius of 4,019.72 feet a distance of 873.63 feet (chord bearing North 58°08'25" East, chord distance 871.91 feet) to the point of beginning. Containing 6.19 acres more or less.**

**Location: Diagonal Rd. West of Pottawatomie Rd. (County Highway District #1)**

Mr. Gammon gave a brief summary of the application and stated that three protest letters had been received. He added that all application requirements had been met.

Mr. David Brewer, architect for applicant, was present to answer questions.

Mr. Jones asked the architect if his client was aware of the County's requirements for permitting the proposed structure.

Mr. Brewer replied that his client was aware of the permit requirements for commercial structures.

Mr. Vaughn asked where the points of access would be for the proposed structure.

Mr. Brewer stated that there would be two points of access along Diagonal Rd; one for entry and one for exiting.

Mr. Jones asked what type of signage would be constructed for the proposed event center.

Mr. Brewer answered that a monument sign that emulated the building design would be installed.

Mr. Jones asked what type of lighting would be installed.

Mr. Brewer stated that only low-level lighting would be utilized in the parking area.

Mr. Vaughn asked what stipulations the commission could place on the proposed special use permit.

Ms. Crawford stated that the commission could place as many stipulations on the special use permit as they wanted.

Mr. Kenneth Payton, applicant, was present to detail his ideas regarding the proposed event center. He stated that the following rules would be applied to all potential customers:

- Days of operation: 7 days per week
- Hours of operation: 9:00 a.m. to midnight
- No electronically amplified music outside of the building
- Capacity: Max 300 people
- Trees will be maintained on property to maintain sight-proof screening

There was discussion between the commission, Mr. Brewer and Mr. Payton as to how many feet of trees would be maintained to constitute sight-proof screening.

Mr. Brewer stated that there would be a 300 to 200 foot buffer on the west and north sides of the property. He submitted a site plan showing the proposed buffer that would be added to the final special use permit resolution. The landscape plan was signed and dated by Mr. Brewer.

Mr. Thaddeus Ayers, adjacent property owner, was present to oppose the application. He stated that the proposed special use permit should be denied for the following reasons:

- Diagonal Rd in no condition to handle the increased traffic
- Diagonal Rd is only wide enough for one car in three areas
- Construction would increase deterioration of Diagonal Rd.
- Disturbance of surrounding agricultural properties
- More traffic accessing his property

Mr. Defuria motioned to approve the special use permit with the following stipulations:

- Operate: 7 days per week
- Hours of Operation: 9:00 a.m.– midnight
- Monument signage only
- Low level outside lighting
- Capacity: max 300 people
- Adhere to all County parking requirements
- Building exterior will be simulated stone and timber
- Special Use Permit will allow space to be used as special event center for weddings, family gatherings and business meetings
- Sight-proof landscaping will follow attached exhibit A signed by Mr. Brewer

Ms. Martin seconded the motion. Vote taken: Jones – Aye, Vaughn – Aye, Defuria – Aye, Richey –Aye, Martin – Aye. The item was approved.

**Discussion and possible action to receive March 2016 Fee Fund Report.**

Mr. Richey motioned to receive the fee fund report. Ms. Martin seconded. Vote taken: Jones – Aye, Vaughn – Aye, Defuria – Aye, Richey – Aye, Martin – 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. Mr. Defuria seconded. Vote taken: Jones – Aye, Vaughn – Aye, Defuria – Aye, Richey – Aye, Martin – Aye. The meeting was adjourned at 3:50 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016

**OKLAHOMA COUNTY  
PLANNING COMMISSION**

\_\_\_\_\_  
**Will K. Jones, Chairman**

ATTEST:

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Tyler Gammon, Jr., Secretary