

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

February 18, 2016

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
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: (January 21, 2016)

Mr. Richey motioned to approve the minutes of the previous meeting. Mr. Benson seconded. Vote taken: Jones – Aye, Benson – Aye, Vaughn – Abstain, 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 letter requesting deferral of the application until the March Planning Commission meeting.

Mr. Sean Reiger, attorney for the applicant, stated that he and his client had requested a deferral until the March Planning Commission meeting due to continued negotiations with utility providers for the proposed development. He added that progress had been made in their discussions and a draft proposal had been circulating among interested parties. He also added that he hoped to have all issues resolved by the next Planning Commission meeting.

Mr. Richie motioned to accept the deferral request. Mr. Holloway seconded. Vote taken: Jones – Aye, Benson – Aye, Vaughn – Aye, Martin – Aye, Defuria - Aye, Richey – Aye, Holloway - Aye. The item was deferred until the March 17, 2016 Planning Commission meeting.

(Deferred Item) Discussion and possible action to approve/deny the Preliminary Plat of Estates at Coffee Creek (PP-2015-04). We were in receipt of a written request from the applicant to defer the hearing of this application until the April 21, 2016 Planning Commission meeting.

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 220th & Pennsylvania (County Highway District # 3)

Mr. Gammon stated that staff had received a letter from the applicant requesting a deferral until the April Planning Commission meeting.

Mr. Kendall Dillon, Crafton Tull & Associates, explained that several corrections were still being made to the construction plans and the proposed restrictive covenants for his development. To ensure that all required revisions had been made and planning staff had ample time to review those changes; he respectfully requested a two month deferral.

Mr. Richie motioned to accept the deferral request. Mr. Benson seconded. Vote taken: Jones – Aye, Benson – Aye, Vaughn – Aye, Martin – Aye, Defuria - Aye, Richey – Aye, Holloway - Aye. The item was deferred until the April 21, 2016 Planning Commission meeting.

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 CG-Urban General Commercial and Office Districts as provided in current Oklahoma County Zoning Regulations. If approved the parcel (**Cordon Business Park**) would 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 178th St. (County Highway District #3)

Mr. Gammon stated there was a scrivener's error on the agenda. He stated that the case number should read PUD-2015-05 and not PUD-2016-01.

Mr. Gammon gave the staff report stating that the case had been previously heard by the commission as a straight re-zoning application. He added that the applicant had felt that the planned unit development would better fit his proposed development due to the fact that uses could be limited. Mr. Gammon also added that staff had received protest letters regarding the application.

Mr. Richie asked if the applicant had resolved the floodplain development issue regarding an accessory building in the floodway on the applicant's property as described in the staff report.

Mr. Brandt replied that he had received an email from the applicant's engineer stating that a development permit was being worked on. He stated that he had still not received the application and therefore the matter had not been resolved.

Mr. Jones asked if the floodplain issues could have a bearing on the outcome of the proposed PUD application.

Ms. Crawford explained that the building in the floodway was a separate issue from the PUD. She acknowledged that it did however, show evidence of an applicant that did not abide by the rules and regulations of Oklahoma County.

Mr. Charles Allen, engineer for the applicant, stated that the blame for non-submittal of the development permit should be placed on him. He added that he had been busy and vacationing which made it hard to get all his projects completed.

Mr. Allen explained that in the PUD application he and his client had removed all objectionable and non-conforming uses from the allowed uses in CG – General Commercial and Office zoning district. He added that the majority of the prospective renters would be small offices or small warehouse type uses, i.e. plumbing companies or landscape companies.

Mr. Vaughn asked how the allowed uses were selected.

Mr. Allen replied that Mr. White had selected uses he felt were most appropriate for the area.

Mr. Jones asked how water would be supplied to the proposed development.

Mr. Allen stated that the proposed development would be served by Deer Creek Water.

Mr. Jones asked Mr. Allen if he and his client had a letter from the Deer Creek Water Corporation stating that they would provide water to the proposed development.

Mr. Allen replied that his client was required to do a \$500.00 feasibility study to determine if the development could be serviced by Deer Creek Water.

Mr. David White, applicant, stated that he actually had two meters on his property and was told by Deer Creek Water that he would have to receive an approved re-zoning application before he could request a study to determine the size of the commercial meter that would be required to serve his proposed development.

Mr. Jones stated that since the application was incomplete the commission was unsure of what the next step should be.

Ms. Crawford stated that the applicant could request a deferral or the commission could deny the application.

Mr. Allen asked for deferral of the application until the April 21, 2016 Planning Commission meeting.

Mr. Richie motioned to accept the deferral request. Ms. Martin seconded. Vote taken: Jones – Aye, Benson – Aye, Vaughn – Aye, Martin – Aye, Defuria - Aye, Richey – Aye, Holloway - Aye. The application was deferred until the April 21, 2016 Planning Commission meeting.

Discussion and possible action to approve/deny the Re-plat (RE-2016-01) of Stone Valley Ranch I (Lot 14 & Common Area “A”).

Application of:

**WYLIE KOINER dba
STONE VALLEY RANCH HOA**

The applicant proposed adding additional property to each parcel for enhancement purposes. The following is the legal description of the properties:

Added to Common Area "A"

Commencing at the Southwest Corner of Lot Fourteen (14), Block One (1) of Stone Valley Ranch; Thence North 12°40'36" East a distance of 180.07 feet; Thence South 62°06'49" East a distance of 25.00 feet; Thence North 27°53'11" East a distance of 81.74 feet to the Point or Place of Beginning; Thence North 27°53'11" East a distance of 60.75 feet; Thence South 31°20'01" East a distance of 62.33 feet; Thence North 89°34'02" West a distance of 60.83 feet to the Point or Place of Beginning. Containing 1626.43 Square Feet or 0.037 Acres, more or less.

Added to Lot Fourteen (14), Block One (1)

Commencing at the Southwest Corner of Lot Fourteen (14), Block One (1) of the Stone Valley Ranch; Thence North 89°27'14" East a distance of 245.56 feet to the Point or Place of Beginning; Thence North 00°25'58" West a distance of 96.13 feet; Thence North 31°20'01" West a distance of 161.83 feet; Thence North 89°34'02" East a distance of 18.85 feet; Thence South 17°37'51" East a distance of 68.26 feet; Thence South 38°27'26" East a distance of 67.71 feet; Thence South 08°01'35" East a distance of 117.45 feet; Thence South 89°27'14" West a distance of 13.15 feet to the Point or Place of Beginning. Containing 1626.41 Square Feet or 0.037 Acres, more or less.

Location: Waterloo & Midwest Blvd (County Highway District #3)

Mr. Gammon distributed the staff report and gave a brief summary of the application.

Mr. Wylie Koiner, applicant, stated that the Stone Valley HOA wanted to swap a portion of the common area with an equal portion of Lot 14. He added that the proposed re-plat would essentially make the common area more accessible and allow for installation of a possible pavilion or playground.

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

Discussion and possible action in regards to a Policy Draft for deferring Planning Commission Agenda Items.

Mr. Gammon distributed the draft deferral policy for the commission's review.

Mr. Defuria requested that the word "business" be placed in front of the word "days" on number 1 of the proposed policy.

Mr. Jones requested that once the deferral policy was approved that it be sent out to developers that had done business with the county in the last year.

Mr. Jones read the draft resolution, as corrected, aloud for the record.

Mr. Jason Dunn, Deer Creek Community Association, was present to state his approval of the proposed policy.

There was further discussion among the commission members, Mr. Dunn, and Ms. Crawford regarding addition of a statement to the policy that would allow the commission to grant

deferrals in situations where there were extraordinary circumstances, i.e. the applicant was in a car accident or had a family emergency.

The commission decided to deal with any extraordinary circumstances on a case by case basis and to not add any additional language to the deferral policy.

Mr. Defuria motioned to approve the deferral policy with the addition of the word “business”. Mr. Richie seconded. Vote taken: Jones – Aye, Benson – Aye, Vaughn – Aye, Martin – Aye, Defuria - Aye, Richey – Aye, Holloway - Aye. The deferral policy was approved with the addition of one word.

Discussion and possible action to receive January 2016 Fee Fund Report.

Mr. Richey motioned to receive the fee fund report. Mr. Benson seconded. Vote taken: Jones – Aye, 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:

Ms. Martin motioned to adjourn. Mr. Holloway seconded. Vote taken: Jones – Aye, Benson – Aye, Vaughn –Aye, Martin – Aye, Defuria - Aye, Richey – Aye, Holloway - Aye. The meeting was adjourned at 2:20 p.m.

Approved this _____ day of _____, 2016

**OKLAHOMA COUNTY
PLANNING COMMISSION**

James Benson, Vice-Chairman

ATTEST:

Tyler Gammon, Jr.,
Secretary