

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

May 19, 2016

1:30 p.m.

The meeting of the Oklahoma County Planning Commission convened and was called to order by Mr. Will K. Jones, Chairman at 1:30 p.m., in Room 204, Oklahoma County Office Building, 320 Robert S. Kerr, with the following individuals present:

Mr. Will K. Jones, Chairman
Mr. James Benson, Vice-Chairman
Mr. Charles Defuria, Member
Mr. David Richey, Member
Ms. Irene Martin, 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: (April 21, 2016)

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

Discussion and possible action to approve/deny a Special Use Permit (SUP-2016-03)

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.R.Y. 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.R.Y.; 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 stating that the special use permit was a repeat of an item heard by the Planning Commission in April. He added that applicant was unable to comply with the landscape buffer zone requirement that was approved by the commission at last month's meeting. The applicant's architect designed a landscape buffer plan that left too little usable land area. Mr. Gammon stated that the applicant and his architect had since revised the landscape plan and resubmitted their special use permit applicant.

Mr. Jones asked that since this was the same item that was heard last month did the commission need to vote on overriding last month's action on the item.

Ms. Crawford answered that the commission would negate any prior approval by re-reviewing the application. There did not need to be a vote by the commission.

Mr. Vaughn asked if the new site plan submitted by the applicant showed the revised buffer zone.

Mr. David Brewer, architect for the applicant, stated that they could not adhere to the original sketch submitted to the commission in April. He stated that after visiting the site, it was determined that the buffer zone would have to be decreased to allow for construction of the proposed buildings and parking. He stated that the new site plan depicted the new landscape buffer. He acknowledged that all other stipulations, such as hours of operation, capacity and days of operation, etc; discussed at the April meeting were left unchanged.

Mr. Brian Jasper, adjacent property owner, stated that the larger buffer zone was needed to maintain existing quality of life in the area. He asked that the commission hold the applicant to the buffer zone that was presented at the April meeting. He added that he was afraid that the applicant had the option to come back with a new application with no buffer at all. He stated that he did not want to see that happen.

Mr. Dennis Fesler, adjacent property owner, also stated that he wanted to maintain the rural feel of the community. He added that with the increased traffic there would be more criminal activity and noise in the area. He stated that these issues would make it hard to sell his property if he ever wished to.

Mr. Jasper spoke again to express his concerns regarding the narrow roads in the area that were not conducive to high traffic. He added that the railroad crossings in the area had no guard rails, hunting on surrounding properties posed a potential hazard and alcohol consumption at the proposed site could contribute to traffic concerns as well. He stated that he bought property in the rural community to get away from commercial activities.

Mr. Kenneth Payton, applicant, explained that most of the properties surrounding the proposed special use permit were all grazing land for cattle. He added that he did not think hunters would pose a problem to his clients as long as the hunting was done safely and properly. He added that

for every 100 people there would be a peace officer to deal with any alcohol related issues that could arise. He also stated that the revised landscape buffer still provided enough cover so that his proposed structure would not be visible to the surrounding properties. Lastly, he explained that all noise would be confined to inside the building.

Mr. Richie asked how long Mr. Payton had owned the property.

Mr. Payton explained he had recently established a partnership with the Stults and formed an LLC. He added the Stults had acquired the property in 1964.

Mr. Jones asked if an approved special use permit followed the property or the owner.

Mr. Gammon replied that special use permits followed the property.

Mr. Trumbo explained that the revised site plan did not show a detention facility for drainage. He added that detention would have to be addressed before construction could begin. He stated that any proposed detention pond would most likely be located in the NE portion of the property. The proposed detention pond could require removing more trees from the buffer along the north side of property.

Mr. Payton stated that his engineer started the drainage study yesterday and was pretty sure that a detention pond would not be needed.

Mr. Fesler stated that he was also concerned with water running off the proposed development onto his property and causing flooding.

Mr. Trumbo explained that any new development could not increase the historic water run-off rate. He stated that the special use permit site could not increase the speed in which water was discharged historically.

Mr. Richey asked if an acceleration/deceleration lane would be installed.

Mr. Payton stated that there would be no improvements made to the entry or road. He added that most traffic would be coming to his business and there was very little traffic in the area.

Mr. Trumbo stated that an acceleration/deceleration lane was not required for a special use permit on AA- Agricultural and Rural Residential zoned property. He stated that the additional lane was only required for industrial and commercial zoned property.

Mr. Defuria motioned to approve the application 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 screening will follow exhibit A.1 as submitted to the Planning Commission

Mr. Richey seconded the motion.

Mr. Jasper asked how the stipulations would be enforced.

Ms. Crawford stated that if the special use permit became a public nuisance the surrounding property owners could file a lawsuit with the approved special use permit used as an exhibit.

Vote taken: Jones – Aye, Benson – Aye, Vaughn – Aye, Defuria – Aye, Richey – Aye, Martin – Aye. The item was approved.

Mr. Gammon reiterated the fact that due to the percentage of protests, the Board of County Commissioner’s decision on the special use permit had to be unanimous in order for the application to be approved.

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

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

Mr. Gammon asked if the June 1, 2016 BOCC meeting would be agreeable to the commission to present Mrs. Holloway with the commission’s approved resolution and the BOCC’s resolution.

Mr. Vaughn asked if a special meeting needed to be called for the planning commission in order for them to attend the BOCC meeting.

Ms. Crawford replied that the planning commission would not be conducting any business or making any decisions. She felt that a special meeting was not required.

It was agreed that the planning commission would attend the June 1, 2016 BOCC meeting at 9:00 a.m. for the presentation of Mr. Roger Holloway’s resolutions.

Adjournment:

Ms. Martin motioned to adjourn. Mr. Richey seconded. Vote taken: Jones – Aye, Benson – Aye, Vaughn – Aye, Defuria – Aye, Richey – Aye, Martin – Aye. The meeting was adjourned at 2:13 p.m.

Approved this _____ day of _____, 2016

**OKLAHOMA COUNTY
PLANNING COMMISSION**

Will K. Jones, Chairman

ATTEST:

Tyler Gammon, Jr., Secretary