

# M I N U T E S

## OKLAHOMA COUNTY PLANNING COMMISSION

September 15, 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. David Richey, Member**  
**Mr. Charles Defuria, 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: (August 18, 2016)**

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

### **Discussion and possible action to approve/deny a zoning change from AA-Agricultural and Rural Residential District to CR-Rural Commercial District (Z-2016-02).**

(Received written request from applicant to withdraw)

Application of:

**GREEN SHOE FOUNDATION**  
**C/O RANDEL SHADID**

The applicant proposed developing a tract of land using an existing structure for professional and administrative offices (Green Shoe Foundation) on a five (5) acre parcel. The following is the legal description of the property to be considered:

**A tract of land being a part of the South-Half of the Southwest Quarter (S/2, SW/4) of Section Twenty-two (22), Township Fourteen (14) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Northwest Corner of the South-Half of the Southwest Quarter (S/2, SW/4), at a set mag nail and shiner; Thence S89°54'24"E along the North line of the South-Half of the Southwest Quarter (S/2, SW/4), a distance of 1475.00 feet, more or less, to a point, said point is the Point of Beginning; Thence S11°41'29"E, a distance of 453.75 feet, more or less, to a point; Thence S78°18'31"W, a distance of 480.00 feet, more or less, to a**

point; Thence N11°41'29"W a distance of 453.75 feet, more or less, to a point; N78°18'31"E, a distance of 480.00 feet, more or less, to the Point of Beginning. Said tract contains 5.00 acres, more or less.

**Location: NE 192<sup>nd</sup> & Hiwassee Rd. (County Highway District #3)**

Mr. Gammon stated that planning staff had received verbal and written request from the applicant requesting withdrawal of the re-zoning application.

The applicant was not present.

Mr. Jones asked if the commission needed to take any action on the withdrawal request.

Ms. Crawford stated that the Commission needed to accept the letter of withdrawal.

Mr. Jones read the withdrawal letter aloud for the record.

Mr. Defuria motioned to accept the letter of withdrawal. Ms. Martin seconded. Vote taken: Jones – Aye, Benson – Aye, Vaughn – Aye, Defuria – Aye, Martin – Aye, Richey - Aye. The re-zoning application was withdrawn.

**Discussion and possible action to approve/deny the General Plat of Summerfield Addition (GP-2016-02).**

Application of:

**JOHNSON & ASSOCIATES**

The applicant proposed developing a residential subdivision to accommodate manufactured housing. Each lot would be approximately ¾ of an acre in size. If approved, the subdivision would have 40 lots on 41.1384 acres. The following is the legal description of the property:

**A tract of land being a part of the Northeast Quarter (NE/4) of Section Six (6), Township Fourteen (14) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows: Beginning at the Northwest (NW) Corner of said Northeast Quarter (NE/4), said point being the POINT OF BEGINNING; Thence North 89°55'56" East, along and with the North line of said Northeast Quarter (NE/4), a distance of 961.93 feet; Thence South 00°07'50" East, departing said North line, a distance of 393.95 feet; Thence South 45°07'50" East, a distance of 35.36 feet; Thence North 89°52'10" East, a distance of 332.94 feet; Thence South 00°32'00" East, a distance of 374.38 feet; Thence North 89°52'10" East, a distance of 329.65 feet; Thence South 00°32'00" East, distance of 545.89 feet; Thence North 89°58'32" West, a distance of 1,647.52 feet to a point on the West line of said Northeast Quarter (NE/4); Thence North 00°29'40" West, along and with the West line of said Northeast Quarter (NE/4), a distance of 1,335.82 feet to the POINT OF BEGINNING. Containing 1,791,987 square feet or 41.1384 acres, more or less.**

**Location: Waterloo Rd. & Coltrane (County Highway District #3)**

Mr. Gammon presented the staff report and gave a brief description of the proposed plat. He stated that the property in question had been re-zoned for use as a mobile home park via a special use permit in 1985. He explained that all re-zoning stays with the land and does not follow the owner. He added that the land had since been sold and the new owner wished to develop the mobile home park as allowed in the special use permit. He also stated that the original mobile

home park was slated to have approximately 238 units while the proposed general plat would only have 40 units.

Mr. Gammon acknowledged that planning staff received written request for deferral from the applicant after the cutoff date of 5 business days prior to the meeting.

Mr. Jones read the deferral policy aloud for the record.

Mr. Tim Johnson, Johnson & Associates, stated that he had received a considerable number of protest letters regarding his general plat application. He stated that he wanted to defer the item to allow him and his staff a chance to meet with surrounding property owners. He added that he was unaware of the deferral policy at the time of submission of the deferral request.

Ms. Crawford stated that she had received an email from someone associated with Johnson & Associates stating that surrounding property owners need not show up to the general plat meeting due to the item being deferred.

Mr. Jones read aloud the email from Johnson & Associates.

Mr. Jones explained that the commission would only be voting on the deferral request; not the merits of the case.

Ms. Candy Vera, adjacent property owner, stated she did not want the application to be deferred. She added that the proposed mobile home park was not a good fit for the surrounding areas and should be denied. She also complained that the notification process was unacceptable.

Mr. Rick Rose, attorney for adjacent property owners Miles and Abby Harris, stated that since his clients did not receive notice at least 20 days prior to the meeting date and that the deferral was requested after the deadline, the Commission should deny the general plat application.

Mr. Gammon explained that all notices were sent out on August 26, 2016, a full 21 days prior to the meeting date. He added that planning commission meeting notices were not required to be sent certified mail.

Mr. Dave Mleko, adjacent property owner, requested that the deferral be granted. He stated that he had received the e-mail from Johnson & Associates and had told several homeowners not to attend the meeting. He stated that it wasn't fair for those residents that didn't show to not have a voice. He also stated that the property owners and the applicant needed time to have a discussion about what should be expected from the proposed development.

Ms. Crawford explained that the commission had two options regarding the proposed plat. She stated that the commission could defer the item. She added that if deferred, notice would not have to be resent for the new meeting date as long as the date was stated in the meeting. The next option available, she explained, was to allow the discussion of the application to continue to get some of the issues regarding the application clarified. She added that then the commission could choose to approve, deny or defer the application.

Mr. Trumbo stated that planning and engineering staff were under the impression that the proposed mobile home park would only have 40 units instead of the original 238. He explained

that rumors were circulating that there may be more than the 40 units described on the general plat. He asked the applicant what he intended to accomplish with his plat application.

Mr. Johnson answered that the original special use permit allowed for 230 plus units with a private sewage treatment plant. He clarified that the proposed plan would create 40 lots with a maximum of 5 mobile homes per lot as allowed by the Department of Environmental Quality. He explained that one owner would purchase a lot with the option to lease out 4 additional spots on the same parcel. He stated that there would be a maximum of 200 units in the development.

Mr. Trumbo stated that he didn't think the zoning regulations allowed for more than one home on one parcel of land. He added that there were legal issues that needed to be dealt with regarding the application before any action could be taken.

Mr. Benson moved to defer the general plat application until the October 20, 2016 meeting with the stipulation that the developer notify as many residents as possible of the new meeting date. Mr. Richie seconded the motion. Vote taken: Jones – Aye, Benson – Aye, Vaughn – Aye, Defuria – Aye, Martin – Aye, Richey - Aye. The general plat was deferred until the October 20, 2016 planning commission meeting.

#### **Discussion and possible action to receive the August 2016 Fee Fund Reports.**

Ms. Martin motioned to receive the fee fund report. Mr. Richey seconded the motion. Vote taken: Jones – Aye, Benson – Aye, Vaughn – Aye, Defuria – Aye, Martin – Aye, Richey - 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. Defuria motioned to adjourn. Mr. Benson seconded the motion. Vote taken: Jones – Aye, Benson – Aye, Vaughn – Aye, Defuria – Aye, Martin – Aye, Richey - Aye. The meeting was adjourned at 2:22 p.m.

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

**OKLAHOMA COUNTY  
PLANNING COMMISSION**

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**Mr. Will K. Jones, Chairman**

ATTEST:

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Tyler Gammon, Jr., Secretary