

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

October 21, 2004 1:30 p.m.

The meeting of the Oklahoma County Planning Commission convened and was called to order by Ms. Cheryl Dorrance, Chairperson, at 1:30 p.m., in Room 103, Oklahoma County Office Building, 320 Robert S. Kerr, with the following individuals present:

Ms. Cheryl Dorrance, Chairperson
Mr. David Richey, Member
Mr. Dee Wynn, Member
Mr. Jim Roth, District 1 Commissioner

Also in attendance:

Mr. Tyler Gammon, Jr., Planning Secretary
Ms. Ruth Walters, County Planner
Mr. Ray Reaves, P.E., D.E.E., County Engineer
Ms. Gretchen Crawford, Assistant District Attorney

Mr. Tyler Gammon, Planning Secretary, called roll and a quorum was declared.

Mr. Richey motioned approval of the minutes from the meeting of September 16, 2004. Mr. Wynn seconded the motion. Vote taken: Wynn – Aye; Roth – Aye; Dorrance – Aye; Richey – Aye. The minutes for the meeting of September 16, 2004, were approved.

Final Plat: (FP-2004-11) COPPERCHASE, SEC. I, II, III, & IV

Applicant: **NORTH STAR COMPANIES, LLC.**

The applicant proposed developing a single-family, residential subdivision. Each lot would be one (1) acre or greater in size with a total of one hundred nineteen (119) lots on 153.86 acres, more or less. The following is the legal description of the property:

Part of the E/2, Section 10, T11N, R1W of the I.M., Oklahoma County, Oklahoma, being more particularly described as follows: Beginning at the NE corner of the SE/4 of said Section 10, Thence S00°05'06"E along the East line of said SE/4 a distance of 805.00 feet; Thence S89°54'54"W a distance of 299.77 feet; Thence S00°05'06"E a distance of 145.31 feet; Thence N89°54'54"E a distance of 299.77 feet to a point on said East line; Thence S00°05'06"E along said East line a distance of 788.21 feet; Thence N89°59'02"W a distance of 596.21 feet; Thence N00°00'02"W a distance of 1488.00 feet; Thence N89°55'39"W a distance of 400.00 feet; Thence S00°00'02"E a distance of 1071.18 feet; Thence N89°55'39"W a distance of 1624.86 feet to a point on the West line of said E/2, Section 10; Thence N00°02'24"W along said West line E/2 a distance of 2647.78 feet to the North line of the S/2, NE/4 of said Section 10; Thence S89°46'12" along said North line a distance of 2618.55 feet to the NE corner of said S/2, NE/4; Thence S00°04'43"E along the East line of said S/2, NE/4 a distance of 1318.30 feet to the point of beginning, containing 153.86 acres more or less.

Location: South Henney Rd between SE 15th & SE 29th. (County Hwy District #2)

The Board took a moment to read a protest letter.

Mr. Ray Smith, adjacent landowner, stated that he did not want to “rub shoulders” with the neighbors. He also stated that not everyone in the surrounding area received a notice.

Ms. Sammi Ewing, area landowner, stated that she was the one that did not receive notice but she had been having problems with her address and mail delivery. She stated that she would not like to see it rezoned because she did not want to live in a subdivision. The proposed rezoning would make it too much like a subdivision.

Mr. Omleski, area landowner, stated that he would not mind seeing two homes rather than five homes on the five acres.

Mr. Roth asked Mr. Gammon if there was a problem with notice on the application in question.

Mr. Gammon stated that County zoning regulations required that the applicant provide a certified abstractors list of surrounding property owners. The applicant provided the list and staff sent notices. He did not see a problem with notification.

Mr. Wynn asked the maximum number of homes allowable with rezoning.

Ms. Dorrance stated that if the zoning were approved, it would be possible to build ten (10) homes on the ten (10) acres.

Mr. Smith stated that he did not understand why ten acres was being referenced.

Mr. Gammon stated that the property owner was only selling five of the ten acres. The developer would only be allowed to put five homes on the five acres that he purchased. Due to zoning regulations, the entire ten acres had to be rezoned in order to apply for the zoning change.

Mr. Will Jones, Board Member, joined the Board.

Mrs. Ewing asked if there was a step she needed to take in correcting the abstractors list.

Mr. Gammon suggested that she check with the Assessor’s Office.

Ms. Dorrance asked if the commission would feel more comfortable sending notice to the property owners again.

Mr. Gammon asked if they wanted the applicant to submit a new list.

Ms. Dorrance stated that there was at least one person that did not receive notification.

Mr. Gammon stated that the abstractor should be liable for the list submitted.

Ms. Dixie Smith, landowner, stated that she felt that they had not been given the whole truth and they were taken by surprise.

Mr. McNamara stated that the abstract company received their information from County records. Residents should be responsible to insure County records were correct. He stated that he did not think that there was a problem with notification. He also stated that he would only own the north five acres and would have nothing to do with the south five acres. It was necessary to include the current property owner's south five acres to have the north property rezoned.

Mr. Roth stated that he agreed that the notice was confusing.

Mr. Roth stated that he would suggest a possible deferment due to the content of the notice and the need for renotification.

Ms. Ewing stated that she was not upset; her neighbors did let her know about the meeting. She also stated that there was an issue with her address because they had previous problems with it. Ms. Crawford stated that there was a problem with the notice if it was misleading.

Mr. Jones made a motion to defer the item one month to allow for renotification. Mr. Wynn seconded the motion. Vote taken: Dorrance – Aye; Jones – Aye; Roth – Aye; Richey – Aye; Wynn – Aye. The item was deferred.

Ms. Crawford stated that the abstract needed to be verified that the legal was proper and encompassed the full ten (10) acres and not just the five (5) acres.

Item was concluded.

**Zoning: (Z-2004-07) From: AA – Agricultural and Rural Residential District
To: RA – Acreage Residential District**

Applicant: **PROVENCE ESTATES, L.L.C.**

The applicant proposed developing a single-family, residential subdivision with privately maintained roads. Minimum lot size would be one (1) acre or greater, on 39.7848 acres, more or less. The following is the legal description of the property:

A TRACT OF LAND SITUATED IN THE SOUTH HALF OF THE NORTH HALF (S/2,N/2) 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 SOUTHEAST CORNER OF THE NE/4 OF SAID SECTIN 6, THENCE WEST (N89°29'50"W) A DISTANCE OF 2619.65 FEET TO THE SOUTHWEST CORNER OF LOT 2 OF SAID SECTION 6, THENCE NORTH (N00°37'00"W) A DISTANCE OF 662.02 FEET TO A POINT ON THE SOUTH HALF, SOUTH FALF, SOUTHEAST QUARTER, NORTHWEST QUARTER, (S/2,S/2,SE/4,NW/4); THENCE EAST (S89°27'33"E) ALONG THE NORTH BOUNDARY OF THE SOUTH HALF, SOUTH HALF, NORTH HALF (S/2,S/2,N/2) OF SAID SECTION 6, A DISTANCE OF 2623.82 FEET TO A POINT ON THE EAST BOUNDARY LINE OF SAID SECTION 6, THENCE SOUTH (S00°15'28"E) ALONG THE EAST LINE OF SAID NORTHEAST

**QUARTER (NE/4) DISTANCE OF 660.21 FEET TO THE POINT OF BEGINNING,
SAID TRACT CONTAINING 39.7848 ACRES, MORE OR LESS.**

**Location: West side of Coltrane between 234th St. and 248th St.
(County Hwy. Dist. #3)**

Mr. Gammon gave the Staff Report stating that the applicant proposed rezoning to RA – one acre lots. He stated that he received several phone calls concerning drainage, and one letter concerning an easement. Mr. Gammon stated that he looked up the easement legal description. The easement is not located in the same quarter section as the proposed development.

Mr. Lax Godhania, engineer with MGR, Inc., stated that if the zoning were approved they would propose a general plat containing twenty three lots on forty acres. Lots would consist of at least 1 ½ acres. He stated that there was a protest about drainage concerns. He stated that he had spoken to the protestor about his concern and the protestor was pleased with the explanation of the drainage plans, including a pond. The pond would be on four acres, surrounded by benches, and would contain a 19 foot by 10 foot marble fountain. 3,600 sq. ft. minimums would be required for all homes built in the development. Streets and common areas would be maintained by Homeowner's Association. Mr. Godhania stated that the street length was 500 feet longer than County subdivision regulations allowed. Mr. Godhania asked for a variance to the street length. He mentioned putting parking spaces by the pond.

Mr. Richey asked if a water study had been done.

Mr. Godhania stated that the water study had been done.

Mr. Russ Miller, concerned homeowner, stated that he was concerned about the drainage. He stated that he liked the idea of the pond. However did not know where overflow would go if the pond got too full. He also had a problem with the water table.

Mr. Godhania stated that the pond would be eight feet deep and engineered to slow down the speed of the water. Drainage would be less than current amounts.

Mr. Paul Skinner, developer, stated that some of the builders in area developments did dig deep enough wells. He stated that they would dig down to 240 feet with wells in the proposed subdivision to avoid problems with the water table.

Mr. Miller stated that he was still concerned.

Mr. Richey made a motion to approve the rezoning from AA to RA. Mr. Jones seconded the motion. Vote taken: Dorrance – Aye; Jones – Aye; Roth – Aye; Richey – Aye; Wynn – Aye. The item was approved.

General Plat: (GP-2004-08)

PROVENCE ESTATES

Applicant:

PROVENCE ESTATES, L.L.C.

The applicant proposed developing a single-family, residential subdivision with privately maintained roads. Minimum lot size would be one (1) acre or greater, with 23 lots on 39.7848 acres, more or less. The following is the legal description of the property:

A TRACT OF LAND SITUATED IN THE SOUTH HALF OF THE NORTH HALF (S/2,N/2) 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 SOUTHEAST CORNER OF THE NE/4 OF SAID SECTIN 6, THENCE WEST (N89°29'50"W) A DISTANCE OF 2619.65 FEET TO THE SOUTHWEST CORNER OF LOT 2 OF SAID SECTION 6, THENCE NORTH (N00°37'00"W) A DISTANCE OF 662.02 FEET TO A POINT ON THE SOUTH HALF, SOUTH FALF, SOUTHEAST QUARTER, NORTHWEST QUARTER, (S/2,S/2,SE/4,NW/4); THENCE EAST (S89°27'33"E) ALONG THE NORTH BOUNDARY OF THE SOUTH HALF, SOUTH HALF, NORTH HALF (S/2,S/2,N/2) OF SAID SECTION 6, A DISTANCE OF 2623.82 FEET TO A POINT ON THE EAST BOUNDARY LINE OF SAID SECTION 6, THENCE SOUTH (S00°15'28"E) ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE/4) DISTANCE OF 660.21 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 39.7848 ACRES, MORE OR LESS.

**Location: West side of Coltrane between 234th St. and 248th St.
(County Hwy. Dist. #3)**

Ms. Dorrance asked if there was anything to be added to the general plat stage of the proposed subdivision not discussed during the rezoning.

Mr. Godhania stated that he wished to include the variance for the cul-de-sac length.

Mr. Richey made a motion to approve the general plat of Provence Estates including the variance. Mr. Wynn seconded the motion. Vote taken: Dorrance – Aye; Jones – Aye; Roth – Aye; Richey – Aye; Wynn – Aye. The item was approved.

Mr. Jim Roth excused himself from the meeting.

**Zoning: (Z-2004-06) From: AA – Agricultural and Rural Residential District
To: RS – Urban Single Family Residential District**

Applicant: **BELL DEVELOPMENT, L.L.C.**

The minimum lot size allowed in RS zoning would be 6,000 square feet. The applicant proposed developing an urban, single-family, residential subdivision on 40.2387 acres, more or less. The following is the legal description of the property:

The East Half (E/2) of the East Half (E/2) of the Northeast Quarter (NE/4) of Section Twenty-four (24), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma.

**Location: N. May Ave. and NW 206th St.
(County Highway Dist. #3)**

Item Withdrawn

General Plat: (GP-2004-07)

ANTLER FARMS

Applicant:

BELL DEVELOPMENT, L.L.C.

The applicant proposed developing an urban, residential subdivision on 40.2387 acres, more or less. Minimum lot size allowable for the zoning of the proposed subdivision would be 6,000 square feet. The following is the legal description of the property:

The East Half (E/2) of the East Half (E/2) of the Northeast Quarter (NE/4) of Section Twenty-four (24), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma.

Location: N. May Ave. and NW 206th St.

(County Highway Dist. #3)

Item Withdrawn

Discussion and Possible action to accept Erosion Control Bond for Cumberland Crossing, a single-family, residential subdivision, allowing the plat to be placed on record.

Mr. Jones made a motion to accept the Erosion Control Bond for Cumberland Crossing. Mr. Richey seconded the motion. Vote taken: Dorrance – Aye; Jones – Aye; Richey – Aye; Wynn – Aye. The item was approved.

Discussion and Possible action to accept Irrevocable Standby Letters of Credit for subdivision development and erosion control for Villagio at Deer Creek, a single-family, residential subdivision, allowing the plat to be placed on record.

Mr. Wynn made a motion to accept the Irrevocable Standby Letters of Credit for Villagio at Deer Creek. Mr. Richey seconded the motion. Vote taken: Dorrance – Aye; Jones – Aye; Richey – Aye; Wynn – Aye. The item was approved.

Discussion and Possible action concerning the amendment of the Unincorporated Oklahoma County Subdivision Regulations, Appendix F. Said amendment would modify the standards for non-section line roads within the unincorporated areas of Oklahoma County, effective December 1, 2004, and included all paving plans for non-section line roads submitted after the effective date.

Ms. Ruth Walters stated that this was brought before the Board last month and included section line roads. It was brought to staff's attention that the Planning Commission could not make revisions to section line road standards. The amendment was rewritten to reflect only the non-section line roads.

Mr. Jones made a motion to accept the changes to the Subdivision Regulations Road Paving Standards. Mr. Wynn seconded the motion. Vote taken: Dorrance – Aye; Jones – Aye; Richey – Aye; Wynn – Aye. The changes were approved.

Discussion and Possible action to approve Survey for Master Plan.

Mr. Erik Brandt stated that he would like the survey to mailed to 500 residents, selected randomly, in the unincorporated area only. He hoped fifty percent of completed surveys would be returned to staff. He would also like to make the survey available on the internet. He stated that the public element was needed to develop an effective master plan. Mr. Brandt stated that he was requesting input from the Board concerning any additional questions they would like included. Postage would be approximately \$500.00.

Ideas from the Board included:

- Sharing the results
- Identify major intersections by homes
- School system
- Make first couple of questions easy to them drawn in citizen
- Address red cedar problem

Mr. Brandt stated that RFP had been sent to Purchasing and would be sent to the Board of County Commissioners. Mr. Brandt also stated that they were going to form a committee including the District Deputies, Purchasing, a Planning Commission member, and someone from the Planning Dept.

Mr. Jones made a motion to accept the Master Plan Survey Questionnaire. Mr. Richey seconded the motion. Vote taken: Dorrance – Aye; Jones – Aye; Thomason – Aye; Richey – Aye; Vorel – Aye. The changes were approved.

September 2004 Fee Fund Report:

Mr. Gammon reported the fees collected for August 2004 were \$32,460.10. Mr. Richey made a motion to accept the report. Mr. Wynn seconded the motion. Vote taken: Dorrance – Aye; Jones – Aye; Wynn – Aye; Richey – Aye. The motion was approved to accept the Fee Fund Report for Septebmer 2004.

Other Business:

- Mr. Gammon handed out a copy of a letter sent by the Deer Creek School District. He stated that the Superintendent had stated that she would like the Planning Commission, the Board of County Commissioners, etc...to be abreast of what the school system's future plans.
- Oklahoma City had plans to annex the remainder of Section 19, T14N R3W.
- The Master PlanPre-Bid Conference would be November 15, 2004, at 2:00 p.m. Staff asked for a volunteer from Planning Commission to attend. Ms. Dorrance stated that she would attend. Mr. Jones stated that he would be the backup.
- Mr. Emil Vorel sent a letter stating that because of the annexation done by Luther causing his home to now be in the city limits of Luther, he regrettably submitted his resignation.

The Board stated that they should give Mr. Vorel an appreciation resolution for his service to the County. Mr. Gammon was asked to draft one for the next meeting.

Adjournment:

Mr. Wynn motioned for adjournment. Mr. Richey seconded the motion. Vote taken: Wynn – Aye; Jones – Aye; Richey – Aye; Dorrance – Aye. The meeting was adjourned at 3:30 p.m.

Approved this _____ day of _____, 2004.

**OKLAHOMA COUNTY
PLANNING COMMISSION**

Cheryl Dorrance, Chairperson

ATTEST:

Tyler Gammon, Jr., Secretary