

Mr. Gammon stated that the applicant wished to speak before the Commission.

Mr. Patrick Meyers, Turner & Co. stated that they wished to withdraw the item along with companion item number six; Revised Preliminary Plat for Cumberland Crossing.

The Revised General Plat for Cumberland Crossing was withdrawn.

Revised Preliminary Plat: (RE-2004-02) CUMBERLAND CROSSING

Applicant: **TURNER & CO., INC.**

The Revised Preliminary Plat for Cumberland Crossing was withdrawn.

**Zoning: (Z-2004-02) From: AA-Agricultural & Rural Residential/CG-Urban General Commercial & Office District.
To: IU - Urban Industrial District**

Applicant: **MALASKE INVESTMENTS, INC.**

The applicant proposed developing a warehouse and commercial office complex with outside storage of company vehicles and tractors. The following is a legal description of the property:

A part of the SW ¼ of Section 11, T-11-N, R-1W, I. M., Oklahoma County, Oklahoma, more particularly described as follows: COMMENCING at the Southwest corner of said Section 11, THENCE N 0019'45" W a distance of 1317.60 feet, THENCE N 8943'12" E a distance of 1584.32 feet, THENCE S 0016'39" E a distance of 439.67 feet to the POINT OF BEGINNING; THENCE continuing S 0016'39" E a distance of 600.00 feet; THENCE N 6532'54" E a distance of 179.87 feet; THENCE Northeasterly on a curve to right with a radius of 1577.98 feet a distance of 68.61 feet (CHB = N 6652'04" E CHD =68.60 feet); THENCE N 0012'35" W a distance of 499.71 feet; THENCE S 8943'12" W a distance of 227.90 feet to the point of beginning. 79,303.9 square feet.

Location: 14453 SE 29th St., East of Henney Rd. (County Highway District # 2)

Mr. Gammon gave the Staff Report stating that a portion of the property was zoned CG – General Commercial 1989; it had not been used as such. The other portion of the property was currently zoned AA – Agricultural and Rural Residential. Mr. Malaske purchased the property for storage. After getting a building permit, he decided to add an office building, as well as outside storage for his business vehicles. The office building currently was under construction. In order to have the outside storage, the property must be rezoned to IU – Urban Industrial.

Mr. Stan Malaske stated that businesses were not new to the area. The proposed rezoning site was a gas station thirty-five years ago; after that it was a restaurant. He stated that his own business was directly across S.E. 29th St. Mr. Malaske stated that there was plenty of visibility from the proposed driveway location.

The Board reviewed an aerial of the proposed property and protest letters.

Mr. Rick Peña, a property owner 1000 yards to the east, stated that at Hardin Rd. there was a large swell in the road obstructing view. He stated that there is an existing business located at the crest of the hill. The new facility would be on the downward slope westbound. He stated that it would be difficult to see oncoming traffic. Mr. Peña stated that the construction company's traffic would negatively impact the traffic on S.E. 29th St.

Mr. Malaske stated that he did not foresee adding an excessive amount of traffic; the construction traffic was already present and had been for ten years. He stated that he had photos showing the visibility on each side; about 900-1200 feet to the west and 600-900 feet to the east. He stated that there was nothing he could do about people driving 70 M.P.H, but there was plenty of visibility.

Mr. Peña stated that Mr. Malaske's pictures might show one thing, but physically being there showed a different story. A tavern at Hardin and S.E. 29th St. intersection caused traffic as well.

Mr. Malaske stated that the entrance would be on the crest of the hill.

An employee of Mr. Malaske's stated that they were taking pictures and discovered that locating the driveway in the proposed location would allow adequate visibility.

Ms. Walters asked if they would have to widen the road for a turning lane.

Mr. Gammon stated that it was already zoned commercial; however they would have to pass the engineer's test for safety.

Mr. Jones asked for Mr. Wynn's opinion since he lived out that way and was familiar with the area.

Mr. Wynn stated that he did not see any more danger there than the street that Mr. Peña lived on; there was plenty of visibility from either direction.

Ms. Dorrance asked if the engineer or staff had looked at the location of the driveway or the site lines.

Mr. Reaves stated that the property was already zoned commercial and we would not go back and require that.

Mr. Gammon stated that specifications for IU zoning would be on the resolution to be signed by the Board of County Commissioners.

Mr. Jones asked if that the County Engineer's approval for location of the driveway be part of the resolution.

Mr. Gammon stated that it could.

Mr. Gammon gave the Staff Report stating that the zoning request was to change the property from AA Agricultural and Rural Residential to Planned Unit Development (PUD). A PUD would include amenities in exchange for mixed use zoning and smaller lots.

There were several protesters concerned about the following:

- Urban vs. rural living
- Adequate infrastructure
- Water and utilities
- Police and fire protection
- Lot sizes
- Schools

Mr. Wynn asked if the school would still be built regardless of what happened with the addition.

Mr. Alexander stated that the school would not be built if the addition did not get approved.

Mr. Jones asked if the applicant wished to discuss the item further with the Board.

Mr. Alexander asked if the items were withdrawn, would he be allowed to refile.

Ms. Crawford stated that state statutes allowed refiling after ninety days, along with payment of a nonrefundable fee.

Mr. Alexander stated that he wished to withdraw the two items.

The items were withdrawn.

General Plat: (PUD-2004-02) GOOSE CREEK

Applicant: **GOOSE CREEK, LLC**

Item was withdrawn.

Preliminary Plat: (PP-2004-04) HOMESTEAD MANOR

Applicant: **HOMESTEAD COMMUNITY DEVELOPMENT L.L.C.**

The applicant proposed developing a single-family, residential subdivision with county maintained roads and common areas. Each lot would be one (1) acre or greater in size with approximately forty-nine (49) lots on 53.839 acres, more or less. The following is the legal description of the property:

A tract or parcel of land lying in the South Half (S/2), Northeast Quarter (NE/4), and a part of the North 165.00 feet of the Southeast Quarter (SE/4), Section Ten (10), Township Eleven North (T-11-N), Range One East (R-1-E), of the Indian Meridian, Oklahoma County, Oklahoma, and being more particularly described as follows:

COMMENCING at the Southeast (SE) corner of said Northeast Quarter (NE/4); HENCE North 00°00'00" West along the East line of said Northeast Quarter (NE/4), a distance of 233.15 feet to the Point of Beginning; THENCE from said Point of Beginning North 89°35'34" West, a distance of 653.59 feet; THENCE South 00°00'00" East, a distance of 402.85 feet; THENCE South 89°59'41" West, a distance of 968.46 feet; THENCE North 00°04'48" West, a distance of 1,482.83 feet; THENCE South 89°54'02" East, a distance of 299.34 feet; THENCE North 00°00'26" West, a distance of 1,317.70 feet to a point on the North line of the Northeast Quarter (NE/4), of said Northeast Quarter (NE/4); THENCE North 89°52'40" East along the North line of the Northeast Quarter (NE/4), of said Northeast Quarter (NE/4), a distance of 662.47 feet being the West 662.47 feet from the Northeast (NE) corner of the Northeast Quarter (NE/4) of said Northeast Quarter (NE/4); THENCE South 00°00'13" East, a distance of 1,320.26 feet; THENCE North 89°54'02" West, a distance of 163.75 feet; THENCE South 00°04'48" East, a distance of 810.64 feet; THENCE South 89°35'34" East, a distance of 825.02 feet to a point on the East line of said Northeast Quarter (NE/4) and also being the South 2,137.89 feet from the Northeast (NE) corner of the Northeast Quarter (NE/4) of said Northeast Quarter (NE/4); THENCE South 00°00'00" East along the East line of said Northeast Quarter (NE/4), a distance of 266.66 feet to the Point or Place of Beginning. Containing 2,345,239.63 square feet or 53.839 acres, more or less. Subject to all easements, restrictions and covenants of record.

LOCATION: South of SE 15th St., 662.47 feet West of Dobbs Rd.
(County Highway District # 2)

Mr. Gammon gave the Staff Report stating that he had not received any protests. He stated that there were some concerns with the general plat lot layout; one lot would be nearly impossible to access from the cul-de-sac. The applicant would like to access the lot from Dobbs Rd. instead.

Mr. Reaves stated that the lot would be no different than any other driveway located on Dobbs Rd.

Mr. Lax Godhania, MGR, Inc., stated that the lot would include the same restrictive covenants.

Mr. Reaves stated that subject to the Board's approval, the roads would be maintained by the county.

Mr. Wynn made a motion to approve the Preliminary Plat of Homestead Community Development. Mr. Vorel seconded the motion. Vote taken: Dorrance – Aye; Wynn – Aye; Thomason – Aye; Jones – Aye; Vorel – Aye. The preliminary plat was approved.

Preliminary Plat: (PP-2004-03) WESTWIND V @ SETTLERS' CROSSING

Applicant: **SETTLERS' CROSSING, L.L.C.**

The applicant proposed developing a continuation of the Planned Unit Development (PUD 2-97). This phase would consist of 24 residential lots on 10.3 acres. The paving and storm sewer for the project would be consistent with that provided in the previous Settlers' Crossing phases. Water would be provided by Deer Creek Water Corporation and sewer service by Oklahoma City. The following is the legal description of the property:

A part of the Northwest Quarter (NW/4) of Section Seventeen (17), Township Fourteen (14) North, Range Three (3) West, of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows:

COMMENCING at the NE corner of said NW/4; Thence N 89°39'18" W along the North line of said NW/4 a distance of 1,089.00 feet to the POINT OR PLACE OF BEGINNING; Thence continuing N 89°39'18" W a distance of 281.68 feet, said point being 1259.31 ft East of the NW corner of said NW/4; Thence S 00°20'42" W a distance of 50.00 feet; Thence S 45°20'42" W a distance of 35.36 feet; Thence S 00°20'42" W a distance of 25.00 feet to a point of curve; Thence Southeasterly along said curve being to the left having a radius of 364.53 feet and a chord bearing of S 30°04'59" E and a chord distance of 369.23 feet for a length of 387.18 feet; Thence S 60°30'40" E a distance of 64.73 feet to a point of curve; Thence Southeasterly along said curve being to the right having a radius of 613.15 feet and a chord bearing of S 38°48'44" E and a chord distance of 453.40 feet for a length of 464.42 feet; Thence N 64°07'01" E a distance of 218.40 feet; Thence S 78°37'54" E a distance of 78.45 feet; Thence S 89°39'18" E a distance of 601.16 feet to a point on the East line of said NW/4; Thence N 00°18'38" W along said East line a distance of 320.00 feet to a point being 400.00 feet South on NE corner of said NW/4; Thence N 89°39'18" W and parallel to the North line of said NW/4 a distance of 1089.00 feet; Thence N 00°18'38" W a distance of 400.00 feet to the POINT OR PLACE OF BEGINNING.

Location: N. Pennsylvania & NW 220th (County Highway District #3)

Mr. Gammon gave the Staff Report stating that there had been no protestors.

Mr. Jones asked if the area to the north would be used for future development.

Mr. Patrick Meyers, Turner & Co., stated that the area to the North had been purchased by a church. There had been discussion with the owners concerning possibly creating a playground and picnic area to be shared by the church and the HOA.

Mr. Thomason made a motion to approve the Preliminary Plat of Westwind V at Settlers' Crossing. Ms. Dorrance seconded the motion. Vote taken: Dorrance – Aye; Wynn – Aye; Thomason – Aye; Jones – Aye; Vorel – Aye. The preliminary plat was approved.

February 2004 Fee Fund Report:

Mr. Gammon reported the fees collected for February 2004 were \$18,331.65. Mr. Thomason made a motion to accept the report. Ms. Dorrance seconded the motion. Vote taken: Dorrance – Aye; Wynn – Aye; Thomason – Aye; Jones – Aye; Vorel – Aye. The motion was approved to accept the Fee Fund Report for February 2004.

Discussion of Comprehensive Plan.

- Land Use Patterns
- Planning Commissioners discussing with their County Commissioners and Budget Board members the importance of a comprehensive plan and funding.
- Getting Erik Brandt on full-time with the Planning Department.

Other Business:

Adjournment:

Mr. Wynn motioned for adjournment. Ms. Dorrance seconded the motion. Vote taken: Dorrance – Aye; Wynn – Aye; Thomason – Aye; Jones – Aye; Vorel – Aye. The meeting was adjourned at 3:00 p.m.

Approved this _____ day of _____, 2004.

**OKLAHOMA COUNTY
PLANNING COMMISSION**

Will Jones, Vice-Chairperson

ATTEST:

Tyler Gammon, Jr., Secretary