

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

July 15, 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. Emil Vorel, Vice-Chairperson
Mr. David Richey, Member
Mr. Dee Wynn, Member
Mr. Charlie Thomason, Member

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. Wynn motioned approval of the minutes from the meeting of June 17, 2004. Mr. Richey seconded the motion. Vote taken: Wynn – Aye; Thomason – Aye; Dorrance – Aye; Vorel – Aye; Richey – Aye. The minutes for the meeting of June 17, 2004, were approved.

Deferred Item:

**Zoning: (PUD-2004-02) From: AA – Agricultural and Rural Residential District
To: Planned Unit Development (IU – Industrial District)**

Applicant: **DPI PROPERTIES**

The applicant proposed developing an industrial park on approximately 120 acres with general uses of an Urban Industrial (IU) District. The following is the legal description of the property:

Tract "A"
The Southeast Quarter (SE/4) of Section Twenty-Three (23), Township Fourteen (14) north, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma. Less and except one tract of land being more particularly described as follows:

Less & Except
Tract "B"
The Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of Section Twenty-Three (23), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma.

Location: NW 192nd & N. Portland Ave. County Highway District # 3

Mr. Gammon gave the Staff Report stating that this item was deferred to give the developer an opportunity to meet with staff and change a few things. He stated that the meeting did not occur for reasons unknown to staff. Mr. Gammon stated that the development plan was not sufficient.

Ms. Walters stated that she spoke with Oklahoma City to check their reversion clause on PUDs. She stated that Oklahoma City's reversion clause was between 3-5 years, and if not developed within the time allowed, the property would revert back to its original zoning. Ms. Walters recommended that a reversion clause of 3 years be included in the PUD design statement for all PUDs.

Mr. Bryan Coon, Coon Engineering, stated that they had a few issues:

- He had a preliminary master development plan of what the proposed PUD would possibly look like.
- To ensure visibility of vehicular traffic on Portland, Mr. Coon proposed a series of berms.
- He stated they would eliminate all pole signs on 192nd St; monument signs only. Pole signs would be allowed on Portland only.
- Mr. Coon maintained that OKC's straight PUDs no longer contain a standard reversion clause. However, he stated, OKC still has a small PUD, called a SPUD, with a two year reversion clause. Edmond was deleting the reversion clause from their subdivision regulations.
- There would be three (3) entrances off of Portland.
- Development would not infringe on the floodplain.

Ms. Dorrance asked where the berms would be located; Portland, Danforth or both.

Mr. Coon stated that the berms would be located on Portland, but berms could be included on 192nd St. as well. He didn't believe berms were necessary along 192nd due to light traffic.

Ms. Dorrance asked if they would have accessory or non-accessory signs.

Mr. Coon stated accessory signs; standard IU signage along Portland and restricted along Danforth. Pole signs on Portland would not be higher than 35' from grade or the adjacent roadway, whichever was higher.

Ms. Dorrance stated that she would like to see "no billboards and only accessory signs" added to the PUD statement.

Ms. Walters stated that Mr. Jones had asked, in the June meeting, that pole signs be limited to 25' in height.

Mr. Coon stated that he did not want to comply with a 25' maximum.

Ms. Walters stated that the County's highway maximum is 40'.

Mr. Richey stated that he would rather defer the item and review it with changes.

Mr. Gammon concurred as did Mr. Vorel.

Mr. Coon went over the agreed upon changes to the design statement:

- ✓ No non-accessory signs
- ✓ Berms on Portland
- ✓ No pole signs on Danforth
- ✓ Master Development Conceptual Plan

Ms. Dorrance agreed with the changes.

Mr. Thomason asked who would maintain the roads.

Mr. Coon stated that he hoped the county would maintain the roads, but would not know until the preliminary platting stage. The roads would be built to OK state highway industrial road standards, which was greater than county standards.

Mr. Richey made a motion to defer this item until the next meeting. Mr. Vorel seconded the motion. Vote taken: Dorrance – Aye; Wynn – Aye; Thomason – Aye; Richey – Aye; Vorel – Aye. The item was deferred.

Zoning: (PUD-2004-04) From: AA – Agricultural and Rural Residential District
To: Planned Unit Development (CG – General Commercial)
Applicant: **Bryan Coon, P.E. for Swisher Investments, LLC**

The applicant proposed developing a commercial PUD on approximately 9.64 acres, more or less. The following is the legal description of the property:

A part of the Southeast Quarter (SE/4) of Section Fourteen (14), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma being more particularly described as follows: Beginning at the Southeast Corner of said Southeast Quarter (SE/4) said point the POINT OF BEGINNING; thence South 89°23'06" West along the South line of said Southeast Quarter (SE/4) a distance of 300.00 feet; thence North 00°31'11" West a distance of 1400.00 feet; thence North 89°23'06" East a distance of 300.00 feet to a point on the East line of the Southeast Quarter (SE/4); thence South 00°31'11" East along the East line of said Southeast Quarter (SE/4) a distance of 1400.00 feet to the point of beginning, containing 9.6419 acre, more or less.

**Location: NW corner of NW Covell Rd. (206th St.) & Portland Ave.
(County Highway District #3)**

Mr. Gammon gave the Staff Report stating that the application for Villagio @ Deer Creek proposed a commercial PUD. Mr. Gammon stated that there were some plans to increase the Villagio subdivision. The applicant was aware of the concerns of the Oklahoma Department of Transportation (ODOT).

Mr. Bryan Coon, Coon Engineering, stated that the future right-of-way was currently proposed on the East side of Portland, so the proposed development should not be affected. He stated that they could commit to plat the area, leaving enough space for 10 to 15 feet of additional right-of-

way, if ODOT required more right-of-way. If ODOT needed 400 feet, the project would not be feasible.

Ms. Dorrance asked if any of the property was in the floodplain.

Mr. Coon stated that it was not.

Ms. Dorrance asked if they had a design concept for the whole section.

Mr. Coon gave a verbal plan of the section pointing out areas on an aerial photo.

Mr. Richey asked about the water service.

Mr. Coon stated it would be serviced by Deer Creek Water.

Mr. Thomason asked if Mr. Coon had talked with ODOT to work out right-of-way issues because ODOT had requested a delay in approval.

Mr. Coon stated that he had talked to Kyle McKinley, with ODOT, and explained that he was only requesting rezoning; no platting had been proposed to date. He told Mr. McKinley that they would take into consideration right-of-way issues at the time of platting. Mr. Coon stated that he offered to let ODOT buy the right-of-way, if they did not want the development to occur. Mr. McKinley stated that he would not and could not go back on the letter from ODOT.

Ms. Dorrance stated that there were a few things needed; a plan and a letter of commitment from Deer Creek Water.

Mr. Coon stated that he wanted a one month continuance.

Mr. Richey made a motion to defer the item for one month. Mr. Thomason seconded the motion. Vote taken: Dorrance – Aye; Wynn – Aye; Thomason – Aye; Richey – Aye; Vorel – Aye. The item was approved

Zoning: (PUD-2004-05) From: AA – Agricultural and Rural Residential
To: Planned Unit Development (CG – General Commercial)

Applicant: COFFEE CREEK LAND DEVELOPMENT, LLC

The applicant proposed developing a commercial/office complex. The following is the legal description of the property:

A tract of land located in the Southwest Quarter (SW/4) of Section Thirteen (13), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma and more particularly described as follows: Beginning at the Southwest Corner of the Southwest Quarter (SW/4) of Section Thirteen (13), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, thence North along the west line of said Southwest Quarter (SW/4) a distance of 2400.00 feet; thence East a distance of 1000.00 feet; thence South a distance of 1800.00

feet; thence East a distance of 600.00 feet; thence South a distance of 600.00 feet to a point on the South line of said Southwest Quarter (SW/4); thence West a distance of 1600.00 feet to the point of beginning, containing 63.3609 acres more or less.

**Location: NW corner of Covell Rd. (206th St.) and Portland Ave.
(County Highway District #3).**

Mr. Gammon gave the Staff Report stating that the item was a proposed commercial PUD. Staff received a letter from ODOT asking for deferment to work out possible right-of-way issues with the developer.

Mr. Bryan Coon, Coon Engineering, asked to defer the item until some issues were worked out, but was available for questions.

Ms. Dorrance asked if Mr. Coon knew approximately where the proposed additional right-of-way would be located.

Mr. Coon stated that he would show it on the development plan, but it was about 400 feet East of Portland. He stated that he would also have to deal with some floodplain issues.

Ms. Dorrance stated that she was concerned about the proximity to residential entrances.

Mr. Thomason asked that Mr. Coon include the most current right-of-way on the master development plan.

Ms. Dorrance requested that Mr. Coon bring a master development plan and a letter of commitment from Deer Creek Water to the August Planning Commission meeting.

Mr. Richey asked for a vote to defer the item until the next meeting. Mr. Thomason seconded the motion. Vote taken: Dorrance – Aye; Wynn – Aye; Thomason – Aye; Richey – Aye; Vorel – Aye. The item was deferred.

General Plat: (GP-2004-05) HIGHLAND PARK SUBDIVISION

Applicant: MEDICINE LODGE INVESTMENTS

The applicant proposed developing a single-family, residential subdivision containing one acre or greater size lots, for a total of 30 lots on 40 acres, more or less. The following is the legal description of the property:

A tract of land lying in the Southeast Quarter of Section Eighteen (18), Township Fourteen (14) North, Range Three (3) West, Indian Meridian, Oklahoma County, Oklahoma. Being more particularly described as follows: COMMENCING at the Southeast Corner of the Southeast Quarter of Section 18; THENCE N89°22'43"W a distance of 2639.65' to the POINT OF BEGINNING; THENCE CONTINUING N89°22'43"W a distance of 659.94' to the Southwest Corner of the Southeast Quarter of Section 18; THENCE N00°03'19"E a distance of 2647.02' to the Northwest Corner of the Southeast Quarter of Section 18; THENCE S89°09'31"E a distance of 659.23'; THENCE S00°02'31"W a distance of 2644.91' to the POINT OF BEGINNING; CONTAINING 1744944.8644 SQ. FT. or 40.0584 ACRES, MORE OR LESS.

**Location: ¼ mile west of North Pennsylvania Ave on north side of Covell Rd. (206th St.)
(County Highway District #3)**

Mr. Gammon gave the Staff Report stating that the property was previously known as Bell Trace and was now under new ownership. This property contained two Deer Creek Water wells which prohibited any septic systems within the easements. The zoning was changed several years ago to RA (1 acre lot minimum.)

Phil Haney, Craftage Homes and Associates, stated that they had a letter from Deer Creek Water and had plans to re-plumb the wells as a part of the subdivision's water system. Instead of locating along the property line, the water line would be located along the roadway.

Mr. Thompson asked about the proposed detention pond.

Mr. Haney stated that they would probably shift it to the East.

One of the board members asked if it would be the homeowner's preference whether they had septic or aerobic systems.

Mr. Haney stated that the lots were big enough for aerobic or septic systems.

Mr. Vorel asked if the 50 foot radius of the cul-de-sac was large enough for a school bus.

Mr. Reaves stated that the radius was large enough. He asked if they were going to put in an acceleration/deceleration lane.

Mr. Haney stated that they would do whatever staff required.

There were a few protestors Karsten Stadler, Mission Springs Homeowner's Association, and Tommy Huelskamp, concerned homeowner. Their main concerns were:

- Lot density.
- Drainage issues; runoff to existing subdivisions; water over the roads.
- Rock shelf present in the area, preventing septic systems.

Mr. Haney addressed the issues of concern stating that:

- ✓ They understood the drainage issues. They would design a pond that detained water because the existing pond was not detaining much water. There would be no negative affect on other residential areas.
- ✓ Property was previously zoned for one acre lots; the proposed density would be 1.3.
- ✓ If the land did not perc, there were two other options available besides septic systems.
- ✓ Would like public roads, if accepted, if not, then private.
- ✓ HOA would maintain any ponds.

Mr. Vorel asked Mr. Reaves if they were required to provide drainage pipes to the pond.

Mr. Reeves stated that they would have to do whatever the Water Resources Board required.

Ms. Walters stated that the County's subdivision/drainage regulations would not allow any additional runoff; the historic runoff would have to be maintained or decreased. A retention or detention pond would be required, if the drainage study indicated the need. They would also be required to indicate pipe sizes and locations. The drainage study and plan would be required at the preliminary plat stage and reviewed by the County Engineer.

Ms. Crawford asked if there was an existing dam.

Mr. Haney stated that there was an existing dam and spillway.

Ms. Crawford asked if they had been working with the Water Resources Board.

Mr. Haney stated that they would be working with OWRB between now and the preliminary plat.

Mr. Reeves stated that he thought they should require that the OWRB be involved because the water situation was not clear.

Ms. Dorrance gave an overview of items the Board would like to see; 70 foot right-of-way on Covell, acceleration/deceleration lanes, dams and drainage to be reviewed by the OWRB, and a 50 foot, paved radius on the cul-de-sac.

There was discussion among the Board Members and Staff.

Mr. Vorel made a motion to approve the general plat of Highland Park subject to the project meeting all regulations of the Commission and the OWRB. Mr. Richey seconded the motion. Vote taken: Dorrance – Aye; Wynn – Aye; Thomason – Aye; Richey – abstained; Vorel – Aye. The item was approved.

June 2004 Fee Fund Report:

Mr. Gammon reported the fees collected for June 2004 were \$41,440.00. Mr. Richey made a motion to accept the report. Mr. Wynn seconded the motion. Vote taken: Dorrance – Aye; Wynn – Aye; Thomason – Aye; Richey – Aye; Vorel – Aye; Dorrance – Aye. The motion was approved to accept the Fee Fund Report for June 2004.

Other Business:

Mr. Gammon stated that RFP for the Master Plan would be written as soon as possible. Staff would have a draft ready for discussion at the August meeting.

Adjournment:

Mr. Richey motioned for adjournment. Mr. Thomason seconded the motion. Vote taken: Vorel – Aye; Wynn – Aye; Thomason – Aye; Richey – Aye; Dorrance – Aye. The meeting was adjourned at 3:12 p.m.

Approved this _____ day of _____, 2004.

**OKLAHOMA COUNTY
PLANNING COMMISSION**

Cheryl Dorrance, Chairperson

ATTEST:

Tyler Gammon, Jr., Secretary