

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

January 19, 2006

1:30 p.m.

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

Mr. Will K. Jones, Vice-Chairperson
Mr. Mike Vorel, Member
Ms. Janet Price, Member
Mr. Brent Rinehart, Commissioner District 2

Also in attendance:

Mr. Tyler Gammon, Jr., Planning Secretary
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. Vorel motioned approval of the minutes from the meeting of December 15, 2005. Ms. Price seconded the motion. Vote taken: Jones – Aye; Vorel – Aye; Price – Aye; Rinehart – Aye. The minutes for the meeting of December 15, 2005, were approved.

Deferred Item: Final Plat (FP-2005-04) SCISSORTAIL LANDING 3RD ADDITION

Application of: **SHAZ INVESTMENT GROUP, INC.**

The applicant proposed developing the third phase of a single-family, residential subdivision with several amenities such as common areas, ponds, and a walking trail. The third phase would consist of approximately 51 homes on 15.02 acres. Deer Creek Water Corporation would provide water and Oklahoma City would provide sanitary sewer. The following is the legal description of the property:

A part or parcel of land located in the Southeast Quarter (SE/4), Section 18, Township 14 North (T-14-N), Range 3 West (R-3-W), of the Indian Meridian, Oklahoma County, Oklahoma and more particularly described as follows:

Commencing at the Northeast corner of said Southeast Quarter, Thence South 00°00'00" West along the East line of said Southeast Quarter (SE/4) a distance of 1,012.25 feet to the Point or Place of Beginning, Thence continuing South along the East line of said Southeast Quarter (SE/4) a distance of 295.00 feet; Thence North 89°52'05" West a distance of 1,019.27 feet; Thence North 00°07'55" East a distance of 130.0 feet; Thence North 89°52'05" West a distance of 119.47 feet to a Point on a Curve to the right in a Northwesterly direction having a radius of 125.00 feet with an arc distance of 91.81 feet; said Curve being subtended by a Chord bearing of North 68°49'39" West and a Chord distance of 89.76 feet; Thence North 89°32'03" West a distance of 29.21 feet to Point on Curve to the left in a Southwesterly

direction having a radius of 275.00 feet with an arc distance of 8.79 feet; said Curve being subtended by a Chord Bearing of South 61°38'05" West and a Chord distance of 8.79 feet; Thence North 27°26'57" West a distance of 50.00 feet to a Point of a Curve to the Left in a Northeasterly direction having a radius of 225.00 feet with an arc distance of 37.29 feet; said Curve being subtended by a Chord Bearing of North 57°48'09" East and a Chord distance of 37.25 feet; Thence North 29°28'58" West a distance of 130.64 feet; Thence North 20°24'07" West a distance of 234.25 feet; Thence North 31°08'55" West a distance of 31.73 feet to a Point on the East line of Scissortail Landing 2nd Addition; Thence North 69°35'53" East along the East line of said Scissortail Landing 2nd Addition a distance of 115.92 feet; Thence South 20°24'07" East a distance of 15.72 feet; Thence North 69°35'53" East a distance of 160.00 feet; Thence South 20°24'07" East a distance of 211.72 feet; Thence South 36°56'45" East a distance of 45.46 feet; Thence North 61°14'08" East a distance of 102.18 feet to a Point on a Curve to the left in a Northwesterly direction having a radius of 380.00 feet with an arc distance of 13.52 feet; said Curve being subtended by a Chord Bearing of North 27°44'44" West and Chord distance of 13.52 feet; Thence North 63°16'25" East a distance of 60.00 feet to a Point on a Curve to the Left in a Northwesterly direction having a radius of 320.00 feet with an arc distance of 35.32 feet; said Curve being subtended by a Chord Bearing of North 23°33'51" West and a Chord distance of 35.30 feet; Thence North 20°24'07" West a distance of 49.75 feet; Thence North 24°35'53" East a distance of 35.36 feet; Thence North 69°35'53" East a distance of 56.84 feet; Thence North 20°24'07" West a distance of 50.00 feet; Thence North 24°24'11" West a distance of 135.41 feet; Thence North 50°09'20" East along the South line of Scissortail Landing 1st Addition a distance of 194.95 feet; Thence North 60°40'12" East a distance of 107.38 feet; Thence South 90°00'00" East a distance of 48.98 feet; Thence South 11°47'09" East a distance of 116.14 feet to a point on a Curve to the Right in a Southwesterly direction having a radius of 175.00 feet with an arc distance of 3.54 feet; said Curve being subtended by a Chord Bearing of South 77°38'07" West and a Chord distance of 3.54 feet; Thence South 00°00'00" East a distance of 384.08 feet; Thence South 16°18'47" East a distance of 50.00 feet; Thence South 74°41'13" West a distance of 56.90 feet; Thence South 55°49'40" East a distance of 172.72 feet; Thence South 71°56'21" East a distance of 73.30 feet; Thence North 90°00'00" East a distance of 97.99 feet; Thence South 00°00'00" East a distance of 14.81 feet; Thence North 90°00'00" East a distance of 160.00 feet; Thence South 00°00'00" East a distance of 10.19 feet; Thence North 90°00'00" East a distance of 205.00 feet to the Point or Place of Beginning. Containing 15.0266 acres, more or less.

Location: ¼ mile North of NW 206th (Covell Rd.) West side of North Penn. Ave
(County Highway District #3)

Mr. Gammon gave the staff report and stated that the item had been previously deferred in May 2005, due to water right issues. The issues were negotiated with adjacent landowners. He also stated that staff had received letters of confirmation of a water supply to the new sections, 3 and 4, of the subdivision from the Deer Creek Water Corporation.

Mr. Barry Rice was present for the applicant,

Dr. Richard Stansbury, area landowner stated that the water rights had been a problem for quite a while. He stated that one of the conditions for Deer Creek Water to supply water to the additions was to drill two test wells and two permanent wells. He stated that it had

not been done. He stated that there was a court case to determine whether or not they could drill more than two wells on the 160 acres.

Mr. Jones stated that they had a letter dated January 18, 2006 from Ms. Debbie Wells, Deer Creek Water Corporation, to Mr. Rice that stated he had “received favorable test results on the three test wells located in Scissortail Landing.” He asked Mr. Stansbury to explain.

Mr. Stansbury stated they had drilled three test wells but the State Water Resources Board told him they would have to go to them to change their contract. Mr. Stansbury stated that the water right issue was still a problem to be settled by the courts.

Ms. Gretchen Crawford stated the only thing to be determined by the Board (Planning Commission) was whether they had received enough documentation to be satisfied there would be an adequate water supply provided to the subdivision; not to adjudicate water right disputes between the parties.

Mr. Reaves asked if the court case was about the proposed property.

Mr. Stansbury stated that the court case was between Deer Creek Water, Medicine Lodge, and himself.

Mr. Stansbury stated that it involved the water rights to the property.

Mr. Rice stated that Deer Creek Water was a large water corporation and could actually serve the development from other resources. He stated that the water rights would not be relevant to whether they could serve the development. He stated that they had met all the requirements expected from the Board and the water district.

Mr. Jones stated that the opening line in the letter stated that it was written verification that Deer Creek Water would serve water to the phases. However, the letter was addressed to the developer. Mr. Jones asked Mr. Rice as a prerequisite to Planning Commission approval to request another letter from Deer Creek. He asked that the letter be addressed to the Planning Commission stating they would serve the new sections of the subdivision.

Ms. Price motioned for approval of the final plat of Scissortail Landing, 3rd Addition contingent upon receipt of the letter to the Board from Deer Creek Water. Commissioner Rinehart seconded the motion. Vote taken: Jones – Aye; Vorel – Aye; Price – Aye; Rinehart – Aye. The item was approved.

Final Plat: (FP-2006-01) SCISSORTAIL LANDING, 4TH ADDITION

Application of: **SHAZ INVESTMENT GROUP, INC.**

The applicant proposed developing the fourth phase of a single-family, residential subdivision with several amenities such as common areas, ponds, and a walking trail. The 4th phase would consist of approximately 55 homes on 20.453 acres. The following is the legal description of the property:

A tract or parcel of land lying in the Southeast Quarter (SE/4), Section Eighteen (18), Township Fourteen North (T-14-N), Range Three West (R-3-W), of the Indian Meridian, Oklahoma County, Oklahoma and said being more particularly described as follows:

COMMENCING at the Northeast (NE) corner of said Southeast Quarter (SE/4); THENCE South 00°00'00" East along the East line of said Southeast Quarter (SE/4), a distance of 320.00 feet to the Point of Beginning; THENCE from said Point of Beginning South 00°00'00" East continuing southerly along said line, a distance of 692.25 feet; THENCE North 90°00'00" West, a distance of 205.00 feet; THENCE North 00°00'00" East, a distance of 10.19 feet; THENCE North 90°00'00" West, a distance of 160.00 feet; THENCE North 00°00'00" East, a distance of 14.81 feet; THENCE North 90°00'00" West, a distance of 97.99 feet; THENCE North 71°56'21" West, a distance of 73.30 feet; THENCE North 55°49'20" West, a distance of 172.72 feet; THENCE North 73°41'13" East, a distance of 56.90 feet; THENCE North 16°18'47" West, a distance of 50.00 feet; THENCE North 00°00'00" East, a distance of 384.08 feet; THENCE along a curve to the right in a Easterly direction with a radius of 175.00 feet an arc distance of 3.54 feet; said arc being subtended by a chord bearing North 77°38'07" East and chord of distance of 3.54 feet; THENCE North 11°47'09" West, a distance of 116.14 feet; THENCE North 90°00'00" East, a distance of 240.27 feet; THENCE South 82°52'30" East, a distance of 120.93 feet; THENCE North 90°00'00" East, a distance of 295.00 feet to the Point or Place of Beginning. Containing 430,117.93 square feet or 9.874 acres, more or less.

And

COMMENCING at the Northeast (NE) corner of said Southeast Quarter (SE/4); THENCE South 00°00'00" East, a distance of 1,307.25 feet; THENCE North 89°52'05" West, a distance of 1,019.27 feet to the Point of Beginning; THENCE from said Point of Beginning North 89°52'05" West continuing westerly along said line, a distance of 959.49 feet; THENCE North 00°02'31" East, a distance of 429.29 feet; THENCE South 89°57'29" East, a distance of 20.00 feet; THENCE North 66°39'36" East, a distance of 120.96 feet; THENCE North 00°07'55" East, a distance of 183.80 feet; THENCE North 37°53'19" East, a distance of 129.02 feet; THENCE South 82°22'47" East, a distance of 117.33 feet; THENCE South 82°11'18" East, a distance of 16.74 feet; THENCE South 57°53'33" East, a distance of 237.57 feet; THENCE South 31°08'55" East, a distance of 72.00 feet; THENCE South 20°24'07" East, a distance of 234.25 feet; THENCE South 29°28'58" East, a distance of 130.64 feet; THENCE along a curve to the right in a Southwesterly direction with a radius of 225.00 feet an arc distance of 37.29 feet; said arc being subtended by a chord bearing South 57°48'09" West and chord distance of 37.25 feet; THENCE South 27°26'57" East, a distance of 50.00 feet; THENCE along a curve to the left in a Northeasterly direction with a radius of 275.00 an arc distance of 8.79 feet: said arc being subtended by a chord bearing North 61°38'05" East and chord distance of 8.79 feet; THENCE South 83°32'03"

East, a distance of 29.21 feet; THENCE along a curve to the left in a Southeasterly direction with a radius of 125.00 feet an arc distance of 91.81 feet; said arc being subtended by a chord distance of 89.76 feet; THENCE South 89°52'05" East, a distance of 119.47 feet; THENCE South 00°07'55" West, a distance of 130.00 feet to the Point or Place of Beginning. Containing 460,824.08 square feet or 10.579 acres, more or less. Combine total of 890,942.01 square feet or 20.453 acres, more or less.

Location: ¼ mile North of NW 206th (Covell Rd.) West side of North Penn. Ave
(County Highway District #3)

Mr. Gammon gave the Staff Report and stated that section 4 would have ten lots not serviced by sewer but have septic or aerobic systems.

Ms. Crawford stated that the addition would be subject to the letter from Deer Creek Water as was the previous item.

Mr. Stansbury stated that Medicine Lodge, the developer for the other section was supposed to keep the lots 300 feet away from the water wells. He asked if the developer would be required to also meet those requirements.

Mr. Gammon stated that the requirements on the water wells were from the Oklahoma Department of Environmental Quality (ODEQ) not from the Planning Commission. He also stated that Medicine Lodge development was a different scenario all together; the wells on the other property were preexisting to development.

Mr. Vorel motioned for approval of the final plat of Scissortail Landing, 4th Addition contingent upon receipt of the letter to the Board from Deer Creek Water. Commissioner Rinehart seconded the motion. Vote taken: Jones – Aye; Vorel – Aye; Price – Aye; Rinehart – Aye. The item was approved.

**Zoning: (PUD-2006-01) From: Special Use Permit (Mobile Home Park & CL-Limited Commercial District)
To: Planned Unit Development (PUD-2006-01)**

Application of: **HOMESTEAD COMMUNITY DEVELOPMENT, LLC.**

The applicant proposed developing a combined 9.04 acre single-family, residential subdivision with an adjacent 5.45 acre commercial tract. The following is the legal description of the property:

**A part of the Northwest quarter (NW/4) of Section Fourteen (14), Township Eleven (11) North, Range One (1) East, Oklahoma County, Oklahoma, being more particularly described as follows: Being the North 1318 feet of the West Half (W/2) of the East Half (E/2) of the Northwest Quarter (NW/4), except for the East 30 feet for road purposes. Location: SE 29th St. & Dobbs Road
(County Highway District #2)**

Mr. Gammon gave the Staff Report and stated that in the 1980s the property was zoned for commercial and had a special exception for a mobile home park. He stated that the

plan had been to expand the mobile home park to the north, which never happened, along with the commercial portion that was never developed. He also stated that the applicant wanted to rezone the property for mixed use as a true PUD for commercial and single family residential.

Mr. Charles Ferguson, co-owner of Homestead Community Development, LLC, stated there would be moderate priced homes on the four lots behind the commercial area. He stated they would put up sight proof fencing and would also add landscaping. Mr. Ferguson stated there was a correction required on page 6 paragraph 8a of the PUD Statement allowing a convenience store to sell beer, but not allow exclusive hard liquor sales or a strip club.

There was discussion among the Board and Staff.

Mr. Lax Godhania stated that the PUD would be amended prior to approval by the Board of County Commissioners to allow the sale of alcoholic beverages but prohibiting taverns and bars.

Commissioner Rinehart motioned for approval of the PUD contingent upon the amendment to the PUD restricting alcohol sales to convenience stores and prohibiting taverns and bars. Ms. Price seconded the motion. Vote taken: Jones – Aye; Vorel – Aye; Price – Aye; Rinehart – Aye. The item was approved.

**Zoning: (Z-2006-01) From: AA-Agricultural & Rural Residential District
To: RA-Acreage Residential District**

Application of: **GREGG DAVIDSON a.k.a.
TIMELESS CUSTOM HOMES, LLC**

The applicant proposed developing a single-family, residential subdivision with County maintained roads. Minimum lot size would be one (1) acre or greater on 39.99 acres, more or less. The following is the legal description of the property:

**The Southeast Quarter (SE/4) of the Southwest Quarter (SW/4) of Section Five (5),
Township Eleven (11) North, Range One (1) East of the Indian Meridian,
Oklahoma County, Oklahoma, According to the Government Survey Thereof,
Containing 39.99 Acres, More or Less. Location: SE 15th St. & Triple XXX Rd.
(County Highway. District #2)**

Mr. Gammon gave the Staff Report and stated that the proposed subdivision would be comprised of twenty five (25) single family, residential lots on 39.99 acres. He also stated there had been no protests.

Mr. Gregg Davidson stated the homes would be between 1800 and 2400 square feet; the streets would be curb and gutter and he would like for the streets to be county maintained.

Commissioner Rinehart motioned for approval of the zoning. Mr. Vorel seconded the motion. Vote taken: Jones – Aye; Vorel – Aye; Price – Aye; Rinehart – Aye. The item was approved.

General Plat: (GP-2006-01) PINE MEADOWS

Application of: **GREGG DAVIDSON a.k.a.
TIMELESS CUSTOM HOMES, LLC.**

The applicant proposed developing a single-family, residential subdivision with County maintained roads. Minimum lot size would be one (1) acre or greater on 39.99 acres, more or less. The following is the legal description of the property:

The Southeast Quarter (SE/4) of the Southwest Quarter (SW/4) of Section Five (5), Township Eleven (11) North, Range One (1) East of the Indian Meridian, Oklahoma County, Oklahoma, According to the Government Survey Thereof, Containing 39.99 Acres, More or Less. Location: SE 15th St. & Triple XXX Rd. (County Highway. District #2)

Mr. Gammon gave the Staff Report and stated that the proposed general plat was a companion item to the previous approved zoning.

Commissioner Rinehart motioned for approval of the general plat of Pine Meadows. Mr. Vorel seconded the motion. Vote taken: Jones – Aye; Vorel – Aye; Price – Aye; Rinehart – Aye. The item was approved.

December 2005 Fee Fund Report:

Mr. Gammon reported the fees collected for December 2005 were \$25,317.73. Ms. Price motioned to accept the report. Mr. Vorel seconded the motion. Vote taken: Price – Aye; Vorel – Aye; Jones – Aye; Rinehart – Aye. The motion was approved to accept the Fee Fund Report for December 2005.

Other Business:

Mr. Gammon stated that Ruth Walters would be back to work in a few weeks. Mr. Jones stated that Mr. Gammon should relay to Ms. Walters that the Planning Commission offered their sympathies.

Adjournment:

Ms. Price motioned for adjournment. Mr. Vorel seconded the motion. Vote taken: Jones – Aye; Vorel – Aye; Price – Aye; Rinehart – Aye. The meeting was adjourned at 2:20 p.m.

Approved this _____ day of _____, 2006.

**OKLAHOMA COUNTY
PLANNING COMMISSION**

Will K. Jones, Vice-Chairperson

ATTEST:

Tyler Gammon, Jr., Secretary