

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

November 12, 2009

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 103, Oklahoma County Office Building, 320 Robert S. Kerr, with the following individuals present:

Mr. Will K. Jones - Chairman
Mr. Mike Vorel – Vice-Chairman
Mr. Edgar Frazier - Member
Mr. Roger Holloway – Member
Mr. David Richey - Member
Mr. Joe Blough, Chief Deputy, District #1 (on behalf of Willa Johnson, Commissioner District #1)

Also in attendance:

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

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

Approval of Minutes of the Previous Meeting: (September 17, 2009)

Mr. Vorel motioned approval of the minutes from the meeting of September 17, 2009. Mr. Richey seconded the motion. Vote taken: Frazier – Aye, Holloway – Aye, Jones – Aye, Vorel – Aye, Richey – Aye, Blough – Aye. The minutes of the previous meeting were approved.

Discussion and possible action to approve/deny a Re-Plat of Lot #1 Block 7, Lot 2, Block 6 and Block E of Cumberland Crossing II, according to the plat thereof. (RE-2009-02).

Applicant: **CUMBERLAND GROUP, LLC**

The applicant proposed a lot line adjustment to satisfy setback requirements and to accommodate egress to a common area. The following is the legal description of the property:

Lot 1, Block 7, of Cumberland Crossing II, according to the Plat thereof recorded in Plat Book 66 at Page 94 of the records of Oklahoma County, Oklahoma. (22860 Crab Orchard Dr.)

AND

Lot 2, Block 6, of Cumberland Crossing II, according to the Plat thereof recorded in Plat Book 66 at Page 94 of the records of Oklahoma County, Oklahoma. (22820 Crab Orchard Dr.)

AND

Block E, of Cumberland Crossing II, according to the Plat thereof recorded in Plat Book 66 at Page 64 of the records of Oklahoma County, Oklahoma.

Location: North Pennsylvania Ave between 220th & 234th (County Highway District #3)

Mr. Gammon distributed the staff report and stated that a re-plat was needed in this case to rectify a situation where a home was constructed too close to the property line and therefore in violation of Oklahoma County setback regulations. He added that approval of the re-plat application would eliminate the setback violation.

Mr. Jones asked if the property owners of the two lots in question were in agreement with the lot line adjustment.

Mr. Keith Beatty, Isch and Associates, stated that Lot 1, Block 7 was still owned by the developer at the time of the application, but had since been sold with the lot line adjustment stipulation on the deed. He also stated that the owner of the other lot in question (Lot 2, Block 6) was trying to negate the issue of building too far into the building line and for this reason comfortable with the application for re-plat.

Mr. Richey asked how far the line had to be moved.

Mr. Beatty answered that to correct the setback violation only 8.2 feet were needed, but the line was actually moved 10 feet.

Mr. Vorel motioned to approve the re-plat application. Mr. Frazier seconded the motion. Vote taken: Frazier – Aye, Holloway – Aye, Jones – Aye, Vorel – Aye, Richey – Aye, Blough – Aye. The re-plat application for Lot 1, Block 7; Lot 2, Block 6 and Block E of Cumberland Crossing II was approved.

Discussion and possible action to approve/deny the Preliminary Plat (PP-2009-01) of Cumberland Crossing III.

Application of: **CUMBERLAND GROUP, LLC.**

The applicant proposed the continuation of Cumberland Crossing Addition, Planned Unit Development (PUD 2003-01). This phase of the project would have 20 lots on 15.19 acres. The addition would have common areas and ponds as amenities. The following is the legal description of the property:

A part of the NW ¼ of Section 8, T14N, R3W, I.M., Oklahoma County, Oklahoma, being more particularly described as follows:

COMMENCING at the NW corner of said NW ¼; THENCE S00°00'00"E along the West line of said NW ¼ a distance of 1486.37 ft; THENCE S89°21'39"E a distance of 1884.16 ft. to the POINT OR PLACE OF BEGINNING; THENCE continuing S89°21'39"E a distance of 739.68 ft. to a point on the East line of said NW ¼; THENCE S00°00'11"W along the East line of said NW ¼ a distance of 350.09 ft.; THENCE N89°59'49"W a distance of 185.09 ft. to a point of non-tangential curve; THENCE Southeasterly along said non-tangential curve to

the right having a radius of 465.52 ft. for an arc length of 31.90 ft. (the chord of said curve bears S01°57'37"E a distance of 31.90 ft.); THENCE N89°59'49"W a distance of 318.67 ft.; THENCE S13°41'01"E a distance of 370.52 ft.; THENCE S00°00'11"W a distance of 125.00 ft.; THENCE S89°59'49"E a distance of 40.00 ft.; THENCE S00°00'11"W a distance of 208.43 ft.; THENCE S41°40'40"E a distance of 106.45 ft. to a point on the South line of said NW ¼; THENCE N89°21'39"W along the South line of said NW ¼ a distance of 514.06 ft.; THENCE N00°38'21"E a distance of 219.39 ft.; THENCE N13°41'01"W a distance of 607.17 ft.; THENCE N06°46'58"W a distance of 131.98 ft. to a point of non-tangential curve; THENCE Northeasterly along said non-tangential curve to the right having a radius of 1238.93 ft. for an arc length of 151.30 ft (the chord of said curve bears N86°42'56"E a distance of 151.21 ft.); THENCE S43°38'24"E a distance of 34.64 ft.; THENCE S87°28'24"E a distance of 50.00 ft.; THENCE N47°31'36"E a distance of 35.36 ft.; THENCE N02°31'36"E a distance of 50.00 ft.; THENCE N87°28'24"W a distance of 24.78 ft.; THENCE N02°31'36"E a distance of 160.88 ft. to the POINT OR PLACE OF BEGINNING.

Mr. Gammon gave the staff report and stated that this application was the third phase in the Cumberland Crossing Addition. He added that this phase was smaller than when originally presented on the initial preliminary plat in 2003, but was still within the guidelines of the original planned unit development.

Mr. Vorel asked if the lot sizes in phase three were comparable to the lot sizes in the previous two phases.

Mr. Beatty, Isch and Associates, stated that the planned unit development required that each lot range in size from roughly one-half acre to three quarters of an acre in all three phases.

Mr. Vorel motioned for approval of the preliminary plat application. Mr. Holloway seconded the motion. Vote taken: Frazier – Aye, Holloway – Aye, Jones – Aye, Vorel – Aye, Richey – Aye, Blough – Aye. The preliminary plat application for Cumberland Crossing III was unanimously approved.

Discussion and possible action to approve/deny revising the building permit fees for the unincorporated areas of Oklahoma County, pursuant to Oklahoma State Statute Title 19 §868.4

Ms. Ruth Walters stated that Senate Bill 1182 was recently passed by the Oklahoma Legislature. The bill requires Oklahoma County to collect a fee for each new building permit or building permit renewal, not to exceed \$5.50. The fee would then be remitted to the Construction Industries Board monthly, with an accompanying report. She added that at this time the fee amount had not been set, but the state had requested that the mechanism to collect the fees be established.

Mr. Vorel motioned to approve the revision to the building permit fees. Mr. Richey seconded. Vote taken: Frazier – Aye, Holloway – Aye, Jones – Aye, Vorel – Aye, Richey – Aye, Blough – Aye. The revision was approved.

Discussion and Possible action to receive Fee Fund Reports for the months of September and October 2009.

Mr. Gammon stated that the fees collected for September were \$13,685.95 while the fees collected for October were \$12,665.45. He added that these amounts were still considerably lower than previous years.

Mr. Richey motioned to receive the fee fund reports for September and October. Mr. Holloway seconded the motion. Vote taken: Frazier – Aye, Holloway – Aye, Jones – Aye, Vorel – Aye, Richey – Aye, Blough – Aye. The fee fund reports were received.

Other Business:

Mr. Gammon stated that the Planning Commission meeting schedule had been changed to the second Thursday of each month at 1:30 p.m. for the remainder of 2009. He added that he anticipated that this schedule should continue into 2010.

Adjournment:

Mr. Richey motioned to adjourn the meeting. Mr. Vorel seconded the motion. Vote taken: Frazier – Aye, Holloway – Aye, Jones – Aye, Vorel – Aye, Richey – Aye, Blough – Aye. The meeting was adjourned at 1:51 p.m.