

M I N U T E S

OKLAHOMA COUNTY PLANNING COMMISSION

July 12, 2012

1:30 p.m.

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

Mr. David Richey, Vice-Chairman
Mr. James Benson, Member
Mr. Edgar Frazier, Member
Mr. Roger Holloway, Member
Mr. Joe Blough, on behalf of Ms. Willa Johnson, County Commissioner District #1

Also in attendance:

Mr. Stacey Trumbo, P.E., County Engineer
Ms. Gretchen Crawford, Assistant District Attorney
Mr. Erik Brandt, County Planner

Mr. Brandt called roll and a quorum was declared.

Approval of Minutes of the Previous Meeting: (June 14, 2012)

Mr. Holloway motioned to approve the minutes from the previous meeting. Mr. Benson seconded the motion. Vote taken: Benson – Aye, Richey– Aye, Holloway – Aye, Blough – Aye. The minutes from June 14, 2012 were approved.

Annual Election: (Chair & Vice Chair)

Mr. Blough motioned to defer the annual election to allow Ms. Johnson the opportunity to be present to cast her vote. Mr. Holloway seconded the motion. Vote taken: Benson – Aye, Richey – Aye, Holloway – Aye, Blough – Aye. The item was deferred until the next scheduled Planning Commission meeting.

DEFERRED ITEM: Discussion and possible action to amend the Oklahoma County Zoning Regulations, pursuant to O.S. Title 19 §868.11, §868.15 and §868.16 to require property rezoned to a Residential District along a section line road be required to construct a lane running the entire width of the property to be developed, or fee in lieu of the construction.

Mr. Brandt stated that planning and engineering staff had met with the development community and decided to keep the regulation as is. He added that any remediation caused by increased traffic should be taken care of immediately instead of requiring a “fee in lieu of”. Mr. Brandt asked that the item be stricken from the agenda.

Mr. Frazier joined the meeting.

Mr. Joseph Atkinson, developer, stated that he agreed with keeping the regulation as is and was happy to have had the opportunity to speak with engineering and planning staff regarding the item.

Mr. Blough motioned to strike the item from the agenda. Mr. Benson seconded. Vote taken: Benson – Aye, Frazier – Aye, Richey – Aye, Holloway – Aye, Blough – Aye.

DEFERRED ITEM: Discussion and possible action to approve/deny a fee rate increase for basic building permits.

Mr. Brandt distributed the staff report and stated the last time the square footage fee had increased was in 1999.

Mr. Holloway asked how the increase would compare to permit fees in surrounding communities.

Mr. Brandt answered that with the increased cost, Oklahoma County permits would be higher than approximately two jurisdictions, but would still be comparable with the majority of the surrounding cities and towns.

Mr. Benson motioned to approve the fee increase from \$.15 per square foot to \$.25 per square foot. Mr. Frazier seconded the motion. Vote taken: Benson – Aye, Frazier – Aye, Richey – Aye, Holloway – Aye, Blough – Aye. The item was approved.

Discussion and possible action to approve/deny a re-zoning (Z-2012-02) of a parcel of land from AA - Agricultural and Rural Residential District to CG – Urban General Commercial and Office District.

Application of: **TYLER J. DOOLITTLE**

The applicant proposed rezoning the property for use as commercial rental space. The following is the legal description of the property:

Parcel I:

That portion of Section Six (6), Township Eleven (11) North, Range Three (3) West of the Indian Meridian, described as follows: Beginning at a point Thirty-three (33) feet North and Two thousand Seven hundred Forty-six and Nine-tenths feet (2746.9) East of the Southwest corner of said Section; thence North Eighty-nine (89) degrees and Fifty-four (54) minutes East (or parallel) with the South line of said Section, a distance of One hundred Thirty-three and Eight-tenths (133.8) feet; thence North 00 degrees and six minutes (06) West a distance of Seventy-eight and Two-tenths (78.2) feet; thence North Sixty-one (61) degrees and Twenty (20) minutes West a distance of Two hundred Thirty-one and Three-tenths (231.3) feet; thence South Fifty (50) degrees and Five (05) minutes West a distance of Eighty-six and Eight-tenths (86.9) feet, thence in a Easterly direction on a curved line having a radius of Three hundred Ninety-two (392.0) feet a distance of One hundred Ninety-one and Four tenths (131.4) feet to the place of beginning.

Together with all right, title and interest in and to that portion of the bed of Ash Street upon which the above described property abuts.

Parcel II

All of that part of Section Six (6), Township Eleven (11) North, Range Three (3) West of the Indian Meridian, described as follows, to-wit; Beginning at the most Northerly corner of a certain parcel of land in said Section Six (6) conveyed to Air Reduction Company by deed of The North American Provision Company dated August 27, 1925, recorded in Book 290, Page 613, of the records of Oklahoma County, Oklahoma, and running thence North Sixty-one degrees Twenty minute West (N 61°20' W) along an extension of the Northeasterly line of the parcel so conveyed to the point of intersection of said Northeasterly line as so extended with a line Twenty (20) feet distant from (as measured at a right angle thereto) and parallel to the Northwesterly line of the parcel so conveyed; thence South Fifty degrees Five minutes West (S 50°5' W) parallel to and Twenty (20) feet distant from said Northwesterly line of the parcel so conveyed to the point of intersection of this course with a Northwesterly extension of the curved line, having a radius of Three hundred Ninety-two (392) feet, constituting part of the Southwesterly line of the parcel so conveyed; thence Southeasterly along the extension of said curved line to the Westerly corner of the parcel so conveyed; and thence North fifty degrees Five minutes East (N 50°5'E) Eighty-six and Eight-tenths (86.8) feet along the Northwesterly line of the parcel so conveyed to the point or place of beginning.

Location: 2501 SW 15th St. (County Highway District #2)

Mr. Brandt distributed the staff report and gave a brief synopsis of the application stating that the property had had previous zoning issues with salvage materials being stored on the property. He added that the property had been cleaned up considerably, which included removal of several derelict cars and painting of the existing structure. Mr. Brandt presented pictures of the property before and after the cleanup.

Mr. Tyler Doolittle, applicant, and Mr. Layton Perry, attorney for the applicant, were present to answer questions.

Mr. Doolittle stated that he acquired the property from a family member on December 2011 and had spent the majority of his time cleaning the property.

Mr. Blough stated that the property in question was formerly in District One but was now under District Two's jurisdiction. He added that District One had a difficult time getting the previous owner to comply with the Oklahoma County Zoning rules and regulations. He asked the applicant what confidence the Board should have that he would not be just as difficult to work with as the previous owners.

Mr. Doolittle responded that he had invested a large amount of money in the property already and had every intention of coming into complete compliance with all County regulations.

Mr. Blough asked the applicant what he intended to use the property for.

Mr. Doolittle stated that he planned on renting the property out to a business whose use was appropriate or allowed under the CG zoning designation.

Mr. Richey asked if the property was required to have site proof fencing on all four sides.

Mr. Brandt replied that the fencing would only be required in commercial zoning where the property was adjacent to AA – Agricultural and Rural Residential zoning areas.

Mr. Holloway asked if the existing structure on the property met the current building code regulations.

Mr. Doolittle said that he had been unable to have the building inspected because it was not zoned properly.

Mr. Brandt added that if the zoning was approved and a building permit issued, the building would be inspected for code compliance.

Mr. Holloway asked if the applicant had met all requirements for re-zoning.

Mr. Brandt stated that the applicant had met all requirements for re-zoning, except for installation of sight proof fencing as necessary if the zoning application was approved.

Mr. Holloway motioned to approve the re-zoning application. Mr. Benson seconded the motion. Vote taken: Benson – Aye, Frazier – Aye, Richey – Aye, Holloway – Aye, Blough – No. The item was approved.

Discussion and possible action to receive, June 2012 Fee Fund Report.

Mr. Benson motioned to receive the report from June. Mr. Frazier seconded. Vote taken: Benson – Aye, Frazier – Aye, Richey – Aye, Holloway – Aye, Blough – Aye. The report was received.

Other Business:

Mr. Atkinson asked that the planning commission website be kept up to date with current agendas, minutes and staff reports.

Mr. Blough stated that District One would partner with Planning, Engineering and MIS to maintain accurate information on the planning commission website.

Mr. Blough motioned to re-open the Doolittle re-zoning application for discussion. Mr. Holloway seconded the motion. Vote taken: Benson – Aye, Frazier – Aye, Richey – Aye, Holloway – Aye, Blough – Aye.

Mr. Richey asked what time line would be enforced to make sure that required fencing was installed.

Mr. Brandt stated that planning could withhold approval of the Certificate of Occupancy until all required fencing had been installed.

Mr. Blough stated that he was afraid that if the building were used again for automotive repair that the County would end up with the same eye sore issues that existed before.

Mr. Doolittle confirmed that with all the money he had spent he did not want to have to clean up the property again.

Mr. Holloway motioned to reaffirm the original approval. Mr. Benson seconded the motion. Vote taken: Benson – Aye, Frazier – Aye, Richey – Aye, Holloway – Aye, Blough – No. The item stood approved.

Adjournment:

Mr. Holloway motioned to adjourn the meeting. Mr. Frazier seconded the motion. Vote taken: Benson – Aye, Frazier – Aye, Richey – Aye, Holloway – Aye, Blough – Aye. The meeting was adjourned at 2:00 p.m.

Approved this _____ day of _____, 2012

**OKLAHOMA COUNTY
PLANNING COMMISSION**

David Richey, Vice-Chairman

ATTEST:

Tyler Gammon, Jr., Secretary