

**AGENDA SUMMARY- PLANNING COMMISSION MEETING**

**Piedmont Civic Center**

**314 Edmond Road Northwest**

**Monday, January 7, 2019 at 6:30 PM**

**MEMBERS PRESENT:**

Commissioner Craig Eidson, Commissioner Bryan Seale, Commissioner Robin Hopkins, Commissioner Jeff Rycroft and Chairman Richard Felton.

**ABSENT:**

None

**STAFF PRESENT:**

Community Development Supervisor Kayla Cornett, Fire Chief Andy Logan, City Manager Jason Orr, Police Chief Scott Singer, City Clerk Jennifer Smith, City Attorney Mike Segler, and City Secretary Valorie Cumming

1. **CALL TO ORDER-** Chairman Richard Felton called the meeting to order at 6:30pm.
2. City Attorney Mike Segler swore in Commissioner Robin Hopkins.

Chairman Richard Felton addressed the board

-Public hearing coming up

-to speak fill out form and bring to table before it starts

3. **ROLL CALL-** City Secretary Valorie Cumming called roll and a quorum was present.
4. **CONSENT AGENDA-** All items on the consent agenda are non-controversial and may be approved by one motion for items.

a) Approval of Minutes for the Planning Commission meeting held October 1, 2018.

Commissioner Craig Eidson made a motion to approve the consent agenda. Motion was **seconded** by Commissioner Jeff Rycroft.

**The Vote was:**

**AYE:**

Commissioner Craig Eidson, Commissioner Bryan Seale, Commissioner Robin Hopkins, Commissioner Jeff Rycroft and Chairman Richard Felton.

**NAY:**

None

5. **CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

None

6. **HEARING OF CITIZENS-** Topics to include those items *not listed in the agenda*.

None

7. **BUSINESS ITEMS**

- a) CONDUCT A PUBLIC HEARING TO CONSIDER A FORMAL REZONING APPLICATION, REQUESTED BY BERREY PARK DEVELOPMENT, LLC, BY REQUESTING A VARIANCE FROM THE ESTABLISHED RESIDENTIAL ZONING DISTRICT TO REZONE FROM ZONING DISTRICT RS-2 (SINGLE FAMILY RESIDENTIAL) TO ZONING DISTRICT RS-2 (SINGLE FAMILY RESIDENTIAL) WITH A PUD (PLANNED UNIT DEVELOPMENT) OVERLAY DISTRICT AND ADOPTING THE MASTER DEVELOPMENT PLAN AND MAP FOR THE FOLLOWING DESCRIBED PROPERTY (Also known as the Southwest corner of Mustang and Washington):

A tract of land in the East Half (E/2) of Section Four (4), Township Thirteen (13) North, Range Five (5) West of the Indian Meridian, Canadian County, Oklahoma, more particularly described as follows:

COMMENCING at the Northeast corner of the Northeast Quarter (NE/4) of said Section Four (4); Thence S 00°30'10" E along the East line of said Northeast Quarter (NE/4) (Basis of Bearing) a distance of 466.39 feet to the POINT OF BEGINNING; Thence S 00°30'10" E a distance of 2259.15 feet to the Southeast corner of said Northeast Quarter (NE/4); Thence N 89°54'27" W along the South line of said Northeast Quarter (NE/4), a distance of 1306.85 feet; Thence S 00°14'12" E a distance of 454.50 feet; Thence N 52°36'06" W a distance of 591.51 feet; Thence S 85°14'21" W a distance of 190.17 feet; Thence N 36°53'08" W a distance of 108.54 feet; Thence N 41°53'16" E a distance of 163.63 feet; Thence N 11°04'11" E a distance of 649.43 feet; Thence N 46°40'46" W a distance of 420.80 feet; Thence N 15°33'27" W a distance of 607.77 feet; Thence N 24°48'16" E a distance of 696.60 feet; Thence N 55°16'00" W a distance of 199.16 feet; Thence N 00°06'08" W a distance of 351.02 feet to a point on the North line of said Northeast Quarter (NE/4); Thence N 89°31'47" E along the North line of said Northeast Quarter (NE/4), a distance of 1646.28 feet; Thence S 00°30'10" E a distance of 466.39 feet; Thence N 89°31'47" E a distance of 466.69 feet to the POINT OF BEGINNING.

Said tract having an area of 5461779.51 Square Feet, 125.385 Acres, more or less.

Chairman Richard Felton addressed the board

- PUD application
- City working with developer on a number of issues and its ongoing
  - another meeting scheduled this week
- if you want to speak get me a form
- once the public hearing is over the floor is closed
- before we open hearing we will have a recap
- any issues not known about prior to this evening we will speak with developer at next meeting

Community Development Supervisor Kayla Cornett addressed the board

- Berrey Park Development
- SW corner of Mustang and 164<sup>th</sup>
- 125 acres approximately with 450 homes
- spoke with Oklahoma City and found out Mustang Road belongs to them
  - sent to Piedmont and Oklahoma City staff reviewed and gave feedback
- recommend approving RS2 with PUD overlay as long as they agree to recommendations given

Steve Rollins with Berrey Park Development addressed the board

- 125 acres with 454 lots
- we did a PUD to get smaller lot

- RS2 zoning in Piedmont requires minimum of 10,000 square foot lot
  - we are asking for 7,500 square foot minimum
  - average lot size 65 wide by 120 deep
  - 3.62 lots per acre
- great for single families
- future land use for this area is medium density residential from 2030 comp plan
  - maximum of 4 dwelling units per acre
- 12.58 acres of common areas with trails
  - can be used for recreational equipment
  - common area mostly on West side of property in flood plain
    - 65-70 feet of space for trails
    - trail might even be dedicated to City
- double landscape along 164<sup>th</sup> and Mustang
  - brick columns with fencing
- will have 2 entrances
  - acceleration and deceleration lanes at entry or will have full widening
- developers have done a neighborhood called Council Ridge on 164<sup>th</sup> and Council
  - 2 phases already done and a 3<sup>rd</sup> starting
  - typical homes we will put in here
    - good amount of brick
    - 2,000 square feet homes probably
- land to west of flood plain is zoned commercial
  - to get businesses to come rooftops need to be in place

Chairman Richard Felton addressed the board

- ongoing discussions with the developers for 4-6 weeks now
  - agreed to a number of items
    - common areas
    - brick columns
    - acceleration and deceleration lanes
    - 2<sup>nd</sup> entrance
- 20 minutes total will be allotted to the hearing with 2 minutes a piece per person
  - you can ask questions and address concerns
  - we won't respond during the hearing

Commissioner Bryan Seale made a motion to open a Public Hearing at 6:44pm. Motion was **seconded** by Commissioner Jeff Rycroft.

**The Vote was:**

**AYE:** Commissioner Craig Eidson, Commissioner Bryan Seale, Commissioner Robin Hopkins, Commissioner Jeff Rycroft and Chairman Richard Felton.

**NAY:** None

Tim Kelley addressed the board

- concerned on drainage
- concerned about traffic control
  - we will have a lot coming off Mustang and Washington and its currently bad
- worried about infrastructure in that area
- concerned about salability of home in future

-what will the property line look like

Roy Mayabb addressed the board

- sewer will be going to Oklahoma City and will greatly increase cost
  - if neighborhood doesn't pay for itself will that burden be past to us
- who will be in charge of upkeep on trails
  - burden for the city that can't keep current easements and park
- should have an exit onto 150<sup>th</sup> and not 164<sup>th</sup> due to school traffic
- concerned of water supply with an increase from all of these houses
  - 900 adults with 2 children is 1800 people are we capable of handling this
- what happened to Robert Simpsons house
- is subdivision at 164<sup>th</sup> and Council a PUD
- if we didn't what a PUD with past builders why would we want now
  - why can't they do it under current conditions
- 1,800 cars will the fire truck be able to get past if cars parked on both sides
- if cars parked in turn around can trash truck get around
- will roads be able to handle trash truck
- why do we need these so called rooftops
- where is our secret business guy that is supposed to be bringing in businesses
- who is involved in these meetings and why aren't they public
  - tell us what is going on sick of secrecy
- do not agree with this PUD they need to stick to current standards

Bob Kelley addressed the board

- from 7am-9am you can't get out of my drive due to traffic
- will we have to hire more fire department and police department personnel will this
- worried about our school system with 1,800 kids

Gina Tayber addressed the board

- why do you have to have a PUD to get this neighborhood built
  - can they not get approved without one
  - PUD is license to do whatever they want
- worried about entrance and exits
- worried about volume in schools
  - are they equipped to handle
- how will you impact my utilities
- how are they going to address sight, sound, and lights

Mark addressed the board

- 150<sup>th</sup> at County Line and Morgan was supposed to be HUD housing
  - got turned down due to school system
- moved here for quiet and good community
- if we keep building crime will eventually follow
- houses will become dilapidated and property values will decrease
- we can't take care of our potholes now

Commissioner Jeff Rycroft made a motion to close a Public Hearing at 6:57pm. Motion was **seconded** by Commissioner Craig Eidson.

**The Vote was:**

**AYE:** Commissioner Craig Eidson, Commissioner Brad Rogers,  
Commissioner Jeff Rycroft and Chairman Richard Felton.

**NAY:** None

- b) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON A FORMAL REZONING APPLICATION, REQUESTED BY BERREY PARK DEVELOPMENT, LLC, BY REQUESTING A VARIANCE FROM THE ESTABLISHED RESIDENTIAL ZONING DISTRICT TO REZONE FROM ZONING DISTRICT RS-2 (SINGLE FAMILY RESIDENTIAL) TO ZONING DISTRICT RS-2 (SINGLE FAMILY RESIDENTIAL) WITH A PUD (PLANNED UNIT DEVELOPMENT) OVERLAY DISTRICT AND ADOPTING THE MASTER DEVELOPMENT PLAN AND MAP FOR THE FOLLOWING DESCRIBED PROPERTY (Also known as the Southwest corner of Mustang and Washington):

See above for full legal description.

Chairman Richard Felton addressed the board

- public hearing is now closed
- if we don't address questions or concerns during meeting talk with us after
- reason for PUD is due to lot size
  - RS2 is the smallest allowed in zoning ordinances but 2030 comp plan allows for RS3
  - so asking rezone from AG to RS2 with variance of RS3 lots
- concerned about traffic, infrastructure, water, sewer
- City Manager Jason Orr, Councilman Kevan Blasdel, Chairman Richard Felton, and Community Development Supervisor Kayla Cornett were in on the meetings with the developer
- variance of lot size doesn't absolve developer from meeting other requirements and rules set forth in regulations
  - developer believes they can make it happen
- we will find out what the Southern exterior plan will be for property line
- traffic has been an issue long before this came up and 164<sup>th</sup> is going to get a new primary school
  - will ask for a traffic study but remember we don't own Mustang Road
- suggest the developer get answers on tax questions and get back with us
- explain how the homes will be
- we have a follow up meeting this week and hope to have an amended application with changes
- would like to continue item to next meeting so we can follow up with developer
  - number of issues from city staff
- what will be the public notice when it will hit City Council agenda

Commissioner Craig Eidson addressed the board

- will Berrey Park Development be the exclusive builder
- what is the sales, property, and ad valorem tax impact we expect from this

Commissioner Bryan Seale addressed the board

- what size and look will these homes be

Steve Rollins with Berrey Park Development addressed the board

- will have 3-4 builders
- can't answer how much in taxes the city will receive
- class C roofing, 70% brick homes and other material
  - 1,600-2,000 square feet
- asking for PUD to get smaller lot sizes
  - benefits to the City as far as parks and common areas

- can't answer on what the 5 acre plat not a part of the PUD will be in the future
- fencing on section line road will have brick columns with wooden fencing in between
- 4 foot sidewalks to go back to common areas and lead to walking trails
- we would be able to provide pictures of landscaping
- street lighting will meet ordinances
- not involved with acreage going to school so couldn't answer that

Commissioner Jeff Rycroft addressed the board

- 2030 comp plan RS2 is 10,000 minimum square feet as apposed to 7,000 which isn't even RS3 in this plan
- 2030 plan stats this area as RS2

Commissioner Robin Hopkins addressed the board

- there is 5 acres not included in the PUD and zoned RS2 but intent for it later is C
  - what will it be used for
- what will fencing be like on section line road
  - decorative, vinyl, wood etc.
  - wood deteriorates over time
- will have sidewalks at 164<sup>th</sup> and Mustang and will they be connected with our walking trails
- would you be able to provide pictures of landscaping
- what kind of street lighting will you be using
- mentioned common area but not big enough for kids and don't see a place to park
- giving 14 acres to the school where would that be on here

City Attorney Mike Segler addressed the board

- we can't require them to have the 5 acres abutting be a part of the PUD
  - owner doesn't have to sale it
- will need a motion to continue item

Commissioner Bryan Seale made a motion to continue item b to next scheduled meeting. Motion was **seconded** by Commissioner Craig Eidson.

**The Vote was:**

**AYE:** Commissioner Craig Eidson, Commissioner Bryan Seale, Commissioner Robin Hopkins, Commissioner Jeff Rycroft and Chairman Richard Felton.

**NAY:** None

## 8. NEW BUSINESS

- c) "New Business," as used herein shall mean any matter not known about or which could not have been reasonable foreseen prior to the time of posting. (25 O.S. 311 a9)

None

## 9. ADMINISTRATION REPORT- (Oral) City Manager, Engineer, Community Development, and Attorney.

Community Development Supervisor Kayla Cornett addressed the board

-final codification with subdivision regulations getting approved

-will have new books

-letters were sent out to homeowners from the list provided by the applicant for tonight's meeting

-will send out letters for the City Council meeting

City Manager Jason Orr addressed the board

-Mustang Road is owned entirely by Oklahoma City

**10. COMMISSIONER'S COMMENTS- (Oral)**

None

**10. ADJOURN-** Chairman Richard Felton adjourned the meeting at 7:20pm.

Chairman, Richard Felton

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Secretary, Valorie Cumming

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