

NOTICE OF A REGULAR MEETING
OF THE ENID-GARFIELD COUNTY
METROPOLITAN AREA PLANNING COMMISSION

Notice is hereby given that the Enid-Garfield County Metropolitan Area Planning Commission will meet in regular session at 6:00 PM on the 18th day of May 2015, in the Council Chambers of the City Administration Building at 401 West Owen K. Garriott Road, Enid, Oklahoma, and the Agenda for said meeting is as follows:

A G E N D A

- ITEM # 1. Consider the approval of the minutes from the April 20, 2015 regular meeting.
- ITEM # 2. Consider a **Land Use Amendment** for property located at 1505 and 1507 West Owen K Garriott Road from Medium Intensity Residential to Medium Intensity Commercial Designation.
- ITEM # 3. Consider a **Rezoning** for property located at 1505 and 1507 West Owen K Garriott Road from R-7 Residential Multi-Family District to C-3 General Commercial District.
- ITEM # 4. Consider a **Use by Review** for the proposed C-1 zoning to be in accordance with the Land Use Classification of Low Intensity Residential Designation located at 418 and 424 East York.
- ITEM # 5. Consider a **Rezoning** for property located at 418 and 424 East York from R-2 Residential Single Family District to C-1 Light Commercial District.
- ITEM # 6. Consider a **Land Use Amendment** for property located in the 5900 to 6600 block West Owen K Garriott Road on the south side from Agriculture Designation to Medium Intensity Commercial Designation.
- ITEM # 7. Consider a **Rezoning** for property located in the 5900 to 6600 block West Owen K Garriott Road on the south side from Agriculture to C-3 General Commercial District.
- ITEM # 8. Remove from table and consider a **Sidewalk Variance** for Michael K. Griffin located at 3604 West Owen K Garriott Road concerning the requirement of a sidewalk paralleling the abutting street.
- ITEM # 9. Adjourn.

MINUTES OF A REGULAR MEETING
OF THE ENID-GARFIELD COUNTY
METROPOLITAN AREA PLANNING COMMISSION

Notice is hereby given that the Enid-Garfield County Metropolitan Area Planning Commission of the City of Enid and County of Garfield, State of Oklahoma, met in regular meeting in the City Council Chambers of the City Administration Building, located at 401 West Owen K. Garriott Road in the City of Enid, Oklahoma on the 20th day of April 2015 at 6:00 P.M., pursuant to public notice describing the time and place of the regular meeting of the Enid-Garfield County Metropolitan Area Planning Commission pursuant to public notice thereof displayed on the bulletin board at the Administration Building of the City of Enid, Oklahoma in prominent view and which notice was posted prior to 6:00 P.M. on the 17th day of April 2015, a copy of which is attached hereto.

Present: Mark Arnold, Cody Haney, Marvin Kusik, Cole Ream, Don Rose, Jim Strate, Jr. and Richard Wuerflein

Absent: Geoff Helm and Ex-Officio Dr. David Vanhooser and Ex-Officio James Simunek

ITEM # 1: Consider the approval of the minutes from the March 16, 2015 regular meeting.

ACTION TAKEN:

Cole Ream made a motion to approve the March 16, 2015 regular minutes, which was seconded by Mark Arnold and passed unanimously with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Marvin Kusik, Cole Ream, Don Rose, Jim Strate, Jr. and Richard Wuerflein

NAYS: None

ITEM # 2. Consider a **Use by Review** for the proposed R-1 zoning to be in accordance with the Land Use Classification of Agriculture for 6301 West Willow.

Chris Bauer gave background information on the land use request.

ACTION TAKEN:

Code Haney made a motion to approve the Use by Review, which was seconded by Done Rose and passed unanimously with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Marvin Kusik, Cole Ream, Don Rose, Jim Strate, Jr. and Richard Wuerflein

NAYS: None

ITEM # 3. Consider a **Rezoning** for Duane Nelson for property located at 6301 West Willow from Agriculture District to R-1 Residential Estate District.

Chris Bauer gave background information on the rezoning request.

ACTION TAKEN:

Cole Ream made a motion to recommend approval of the Rezoning to the Mayor and Board of Commissioners. The motion was seconded by Jim Strate, Jr. and passed unanimously with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Marvin Kusik, Cole Ream, Don Rose, Jim Strate, Jr. and Richard Wuerflein

NAYS: None

ITEM # 4. Consider a **Variance** for Jeff Coleman located at 119 West Phillips concerning the requirement of a sidewalk paralleling the abutting street.

Chris Bauer gave background information on sidewalk variance.

The Planning Commission found:

1. The special condition affecting this property was an unimproved road with a bar ditch drainage system with no level area for a sidewalk.
2. The variance is necessary. The intent of the sidewalk ordinance was not applicable to this property.
3. Granting the variance would not be detrimental to the adjacent properties and surrounding neighborhood.
4. That the variance is approved by a three-fourths (3/4) vote of the regular membership of the planning commission.

ACTION TAKEN:

Done Rose made a motion to recommend approval of the Variance to the Mayor and Board of Commissioners. The motion was seconded by Cole Ream and passed unanimously with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Marvin Kusik, Cole Ream, Don Rose, Jim Strate, Jr. and Richard Wuerflein

NAYS: None

ITEM # 5. Consider a **Variance** for Randy R Smith located at 2201 Richland Avenue concerning the requirement of a sidewalk paralleling the abutting street.

Chris Bauer gave background information on sidewalk variance.

The Planning Commission found:

1. The special condition affecting this property was an unimproved road with a bar ditch drainage system.
2. The variance is necessary. The intent of the sidewalk ordinance was not applicable to this property and would require the removal of mature trees and landscaping.
3. Granting the variance would not be detrimental to the adjacent properties and surrounding neighborhood.
4. That the variance is approved by a three-fourths (3/4) vote of the regular membership of the planning commission.

ACTION TAKEN:

Cody Haney made a motion to recommend approval of the Variance to the Mayor and Board of Commissioners. The motion was seconded by Richard Wuerflein and passed unanimously with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Marvin Kusik, Cole Ream, Don Rose, Jim Strate, Jr. and Richard Wuerflein

NAYS: None

ITEM # 6. Consider a **Variance** for John R Burgett located at 3102 South Garland concerning the requirement of a sidewalk paralleling the abutting street.

Chris Bauer gave background information on sidewalk variance.

The Planning Commission found:

1. The special condition affecting this property was an unimproved road with a bar ditch drainage system with no level area for a sidewalk.
2. The variance is necessary. The intent of the sidewalk ordinance was not applicable to this property.
3. Granting the variance would not be detrimental to the adjacent properties and surrounding neighborhood.
4. That the variance is approved by a three-fourths (3/4) vote of the regular membership of the planning commission.

ACTION TAKEN:

Cole Ream made a motion to recommend approval of the Variance to the Mayor and Board of Commissioners. The motion was seconded by Mark Arnold and passed unanimously with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Marvin Kusik, Cole Ream, Don Rose, Jim Strate, Jr. and Richard Wuerflein

NAYS: None

ITEM # 7. Consider a **Variance** for Deborah Givens located at 5505 West Chestnut concerning the requirement of a sidewalk paralleling the abutting street.

Chris Bauer gave background information on sidewalk variance.

The Planning Commission found:

1. The special condition affecting this property was an improved road with a bar ditch drainage system with no level area for a sidewalk.
2. The variance is necessary. The intent of the sidewalk ordinance was not applicable to this property.
3. Granting the variance would not be detrimental to the adjacent properties and surrounding neighborhood.

4. That the variance is approved by a three-fourths (3/4) vote of the regular membership of the planning commission.

ACTION TAKEN:

Cole Ream made a motion to recommend approval of the Variance to the Mayor and Board of Commissioners. The motion was seconded by Jim Strate Jr. and passed unanimously with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Marvin Kusik, Cole Ream, Don Rose, Jim Strate, Jr. and Richard Wuerflein

NAYS: None

ITEM # 8. Consider a **Variance** for Michael K. Griffin located at 3604 West Owen K Garriott Road concerning the requirement of a sidewalk paralleling the abutting street.

Chris Bauer gave background information on sidewalk variance.

ACTION TAKEN:

Cole Ream made a motion to table the variance request, citing the Planning Commission needed analysis from the Engineering Department on how the required sidewalk could be constructed on the right-of-way in the existing drainage ditch and allow the City Commission time to review and amend the sidewalk ordinance. The motion was seconded by Don Rose and passed unanimously with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Marvin Kusik, Cole Ream, Don Rose, Jim Strate, Jr. and Richard Wuerflein

NAYS: None

COUNTY INTEREST:

ITEM # 9. Consider a **Final Plat** for Troy and Angie Lippard, Fred and Lanna Slater for Prairie View Estates located in the east half of the Northwest Quarter of Section 33, Township 23 North, Range 7 West, Indian Meridian.

Chris Bauer gave background information on the plat.

ACTION TAKEN:

Cole Ream made a motion to recommend approval of the Variance to the Board of County Commissioners. The motion was seconded by Jim Strate Jr. and passed unanimously with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Marvin Kusik, Cole Ream, Don Rose, Jim Strate, Jr. and Richard Wuerflein

NAYS: None

ITEM # 10. Adjourn.

Don Rose made a motion to adjourn, which was seconded by Cole Ream and passed unanimously.

The meeting adjourned at 6:38 PM.

ITEM # 2.

CONSIDER A LAND USE AMENDMENT FOR PROPERTY DESCRIBED AS TRACT 5 AND TRACT 5-A IN THE NORTHEAST QUARTER OF SECTION THIRTEEN (13) TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SEVEN (7) WEST, INDIAN MERIDIAN, ENID, OKLAHOMA, FROM MEDIUM INTENSITY RESIDENTIAL DESIGNATION TO MEDIUM INTENSITY COMMERCIAL DESIGNATION.

BACKGROUND:

This item is back before MAPC due to an error in 300 foot ownership list provided by Guarantee Abstract Company. Properties at 1409, 1415 and 1609 Wynona and 1414 Vinita were omitted from the second ownership list.

This item concerns a property located at 1505 and 1507 Owen K Garriott. The site will consist of 2.28 acres. The request is to change the land use from Medium Intensity Residential Designation to Medium Intensity Commercial Designation. Currently the lot developed as multi-family. If approved, the property will be used for general retail and restaurants.

The property has access to Owen K Garriott Road.

Both water and sewer are available to the property.

Twenty-one (21) properties out of the 38 within 300 feet of the proposed rezoning and reclassification are protesting. The 21 properties represent 60% of the area within 300 feet.

ATTACHMENTS: Location Map.

RECOMMENDATION: Recommend approval to the Mayor and Board of Commissioners.

PRESENTER: Chris Bauer, Planning Administrator.



ITEM # 3.

CONSIDER A REZONING FOR PROPERTY DESCRIBED AS TRACT 5 AND TRACT 5-A IN THE NORTHEAST QUARTER OF SECTION THIRTEEN (13) TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SEVEN (7) WEST, INDIAN MERIDIAN FROM R-7 RESIDENTIAL MULTI-FAMILY DISTRICT TO C-3 GENERAL COMMERCIAL DISTRICT.

BACKGROUND:

This item is back before MAPC due to an error in 300 foot ownership list provided by Guarantee Abstract Company. Properties at 1409, 1415 and 1609 Wynona and 1414 Vinita were omitted from the second ownership list.

This is a companion item to Item # 2.

The request is to change the zoning from R-7 Residential Multi-Family District to C-3 General Commercial District. Currently the lot developed as multi-family. If approved, the property will be used for general retail and restaurants.

The zoning surrounding the property is R-2 Residential Single Family and C-1 Light Commercial District across the street to the north, R-2 to the south, C-3 to the west and R-7 to the east.

Twenty-one (21) properties out of the 38 within 300 feet of the proposed rezoning and reclassification are protesting. The 21 properties represent 60% of the area within 300 feet.

ATTACHMENTS: Location Map.

RECOMMENDATION: Recommend approval to the Mayor and Board of Commissioners.

PRESENTER: Chris Bauer, Planning Administrator.



ITEM # 4.

CONSIDER A USE BY REVIEW FOR THE PROPOSED ZONING OF C-1 LIGHT COMMERCIAL DISTRICT TO BE IN ACCORDANCE WITH THE LOW INTENSITY RESIDENTIAL LAND USE CLASSIFICATION FOR DERWIN NORWOOD, JR. LOCATED AT 418 AND 424 EAST YORK.

This is a companion item to # 5.

This petition concerns property located at 418 and 424 East York. The property is currently zoned R-2 Residential Single Family District however the applicant is requesting C-1 Light Commercial District.

The applicant is requesting a Use by Review for the proposed zoning of C-1 to be in accordance with the Low Intensity Land Use classification which may be permitted after review contingent upon the City Commission approving the rezoning of the property. The applicant intends to build a metal building on the property to store equipment.

Conditions for granting a Use by Review are: will the proposed use have an adverse effect on the surrounding properties; are there adequate utilities, parking, drainage and access as required; the use will not generate hazardous vehicular traffic and there will not be noxious or offensive emissions, noise, glare, smoke, dust or odor.

ATTACHMENTS: Location map, request.

RECOMMENDATION: Approve the Use by Review contingent upon the City Commission approving the rezoning.

PRESENTER: Chris Bauer, Planning Administrator



ITEM # 5.

CONSIDER A REZONING FOR PROPERTY DESCRIBED LOTS 21 - 24, BLOCK 8, SOUTHERN HEIGHTS SECOND LOCATED AT 418 AND 424 EAST YORK FROM R-2 RESIDENTIAL SINGLE FAMILY DISTRICT TO C-1 LIGHT COMMERCIAL DISTRICT.

This is a companion item to #4.

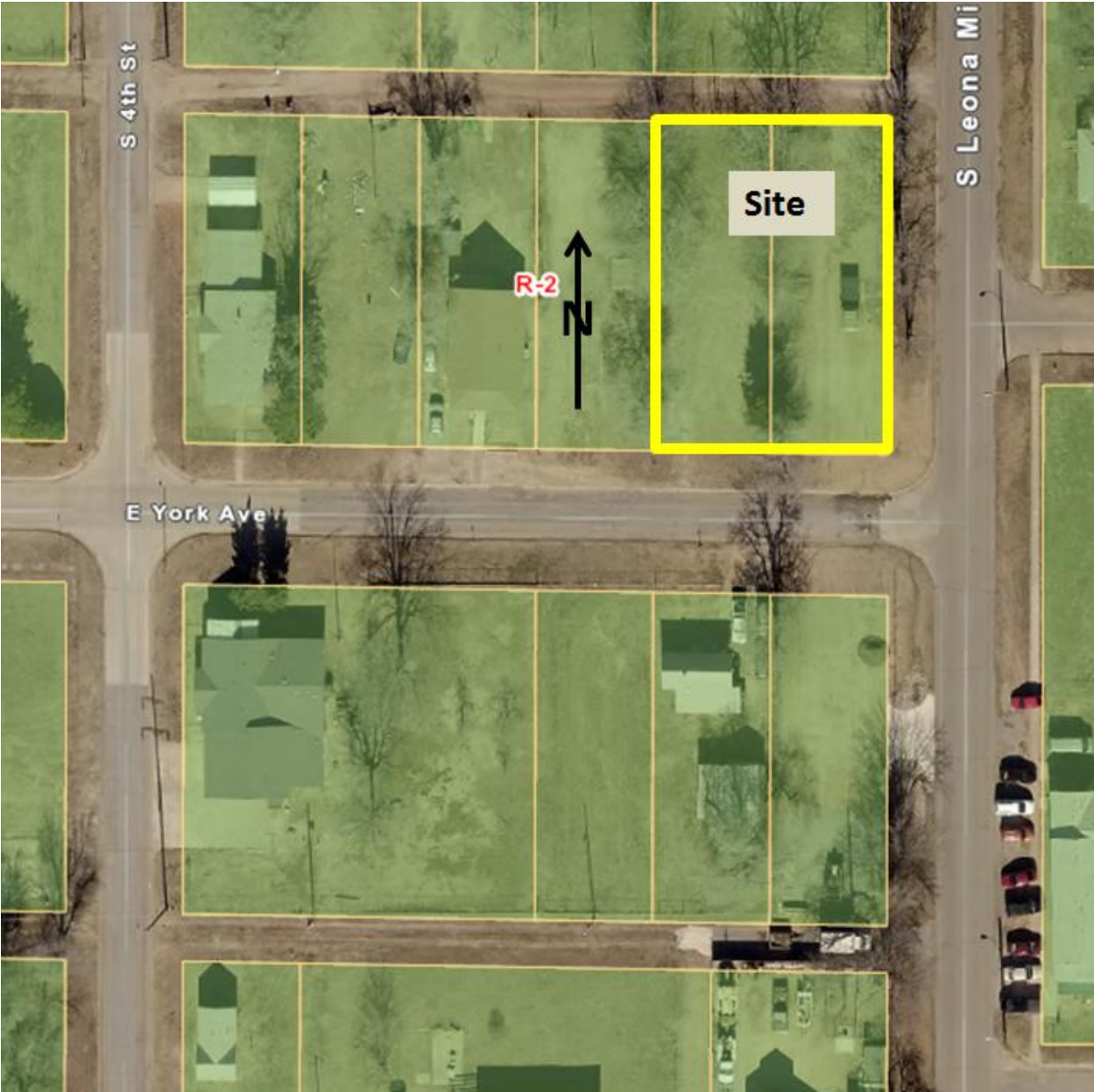
This request is to change the zoning from R-2 Residential Single Family District to C-1 Light Commercial District. Currently the property is vacant. If approved, the applicant will build a metal building to store equipment.

The zoning surround the property is R-2 to the north, south, east and west.

ATTACHMENTS: Location map.

RECOMMENDATION: Recommend approval of the rezoning to the Mayor and Board of Commissioners.

PRESENTER: Chris Bauer, Planning Administrator



ITEM # 6.

CONSIDER A LAND USE AMENDMENT FOR PROPERTY DESCRIBED AS PART OF THE NORTH HALF OF SECTION SIXTEEN (16) TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SEVEN (7) WEST, INDIAN MERIDIAN, ENID, OKLAHOMA, FROM AGRICULTURE DESIGNATION TO MEDIUM INTENSITY COMMERCIAL DESIGNATION.

BACKGROUND: This is a companion item to # 7.

This item concerns a property located in the 5900 to 6600 block of West Owen K Garriott, west of the Spring Hill Suites on the south side of the road. The site consists of 94 ± acres. The request is to change the land use from Agriculture Designation to Medium Intensity Commercial Designation (Lineal Commercial). Currently the lot is undeveloped. If approved, the property will be used for future commercial development.

The site has limited access to US 412 which is considered adequate for the land use change along with a 12" water line which is also adequate. The site is not served by sanitary sewer; the nearest line is one-half mile away. The storm water management can be handled by the development.

ATTACHMENTS: Location Map.

RECOMMENDATION: Review and make a recommendation to the Mayor and Board of Commissioners.

PRESENTER: Chris Bauer, Planning Administrator.



ITEM # 7.

CONSIDER A REZONING FOR PROPERTY LOCATED IN THE 5900 TO 6600 block WEST OWEN K GARRIOTT AND DESCRIBED AS PART OF THE NORTHEAST QUARTER OF SECTION SIXTEEN (16) TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SEVEN (7) WEST, INDIAN MERIDIAN, ENID, OKLAHOMA FROM AGRICULTURE TO C-3 GENERAL COMMERCIAL DISTRICT.

BACKGROUND: This is a companion item to # 6.

This item concerns a property located in the 5900-6600 block of West Owen K Garriott, west of the Spring Hill Suites to Wheatridge Road. The request is to change the zoning from Agriculture to C-3 General Commercial. Currently the lot is undeveloped. If approved, the property will be developed as future commercial development. The site is not served by sanitary sewer; the nearest line is one-half mile away.

The zoning surrounding the property is C-2 Planned Business Center and R-7 Residential Multi-Family District to the east and Agriculture to the north, south and west.

ATTACHMENTS: Location Map.

RECOMMENDATION: Review and make a recommendation to the Mayor and Board of Commissioners.

PRESENTER: Chris Bauer, Planning Administrator.



ITEM # 8.

REMOVE FROM THE TABLE AND CONSIDER A SIDEWALK VARIANCE FOR MICHAEL K GRIFFIN LOCATED AT 3604 WEST OWEN K GARRIOTT ROAD, DESCRIBED AS A TRACT IN THE SOUTHWEST QUARTER OF SECTION ELEVEN (11), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SEVEN (7) WEST, INDIAN MERIDIAN.

BACKGROUND:

At the April 20, 2015 Planning Commission meeting this item was tabled in order to obtain additional analysis from the Engineering Department on how the required sidewalk could be constructed on the right-of-way in the existing drainage ditch and allow the City Commission to review and amend the sidewalk ordinance.

Mr. Griffin applied for building permit to construct a 2,560 square foot addition to the existing building. Section 10-6-1 A. requires all developments, as defined in 10-4-2, to provide sidewalks that parallel abutting streets. The definition of development includes building permit.

The Planning Commission must find all of the following before a variance can be granted:

1. That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land.
2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
3. That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.
4. That the modifications have been requested in writing by the subdivider stating the reasons for each modification and that the variance is approved by a three-fourths (3/4) vote of the regular membership of the planning commission.

ATTACHMENTS: Variance Petition, Location Map, Photographs, Site Plan, Sidewalk Ordinance and 10-4-2 Definitions.

RECOMMENDATION: Make recommendation to the Mayor and Board of Commissioners.

PRESENTER: Chris Bauer, Planning Administrator.



Planning & Zoning Department
Chris Bauer, Planning Administrator
cbauer@enid.org
580-616-7217
PO Box 1768, 401 West Garriott
Enid OK 73702

VARIANCE PETITION

(Due 20 days prior to Metropolitan Area Planning Commission meeting date)

Location: 3604 W Owen K Garriott Road (street address):

Legal description: 3604 W. Owen K Garriott Road (1.2 acres) unplatted real estate

Current zoning of property: C-3

Variance Request: Sidewalk

Section: 10-6-1:A.1.b.

Reasons for desiring approval of the Variance are as follows: (additional pages may be added) _____

SEE ATTACHMENT


I, or we, have attached a site plan of the proposed construction.

I, or We, hereby petition the **Metropolitan Area Planning Commission** for a variance to the following provision(s) of the City of Enid Ordinance, Section 12-1-8.

The Planning Commission may recommend a variance from the title when, in its opinion, undue hardship any result from strict compliance. In recommending any variance, the Planning Commission shall prescribe only conditions that it deems necessary to, or desirable for, the public interest. In making its findings, as required herein below, the Planning Commission shall take into account the nature of proposed land use and the existing use of land in the vicinity. the number of persons to reside or work in the property subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No variance shall be granted unless the Planning Commission finds:

1. That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land.
2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
3. That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.
4. That the modifications have been requested in writing by the subdivider stating the reasons for each modification and that the variance is approved by a three-fourths (3/4) vote of the regular membership of the Planning Commission.

Dated this 20 day of March, 2015.

Applicant's signature: 

Telephone: 405-216-0224

Printed Name: Michael K Griffin

Email: cicisqb@sbcglobal.net

Address: 2510 Alexa Ave, Edmond, OK

Date of Hearing set for the _____ day of _____, _____.

The Wine Press Plaza Sidewalk Variance Petition

1. A master plan for sidewalks along Owen K. Garriott Road needs to be addressed. Randomly adding sidewalks leads to an unorganized patchwork of concrete. There are no sidewalks east or west of this location. Adding a sidewalk that wasn't planned may not have desirable results.
2. The sidewalk may not have a feasible continuation to the east or west based upon right of way, elevation, and drainage issues, etc.
3. If the sidewalk was installed adjacent to the property line from east to west and maintaining a level walk way, the east section, east of the entrance would cross over the drainage flumes and be about 3 ft. above the bottom of the drainage ditch at the end. This would make it not feasible.
4. Starting the sidewalk on the west and curving to a 5' x 5' landing adjacent to the entrance and terminating this section is another approach. However, the sidewalk would fall on private

property. The sidewalk would proceed east to the property line. To our understanding, the sidewalk is required to be on city property.

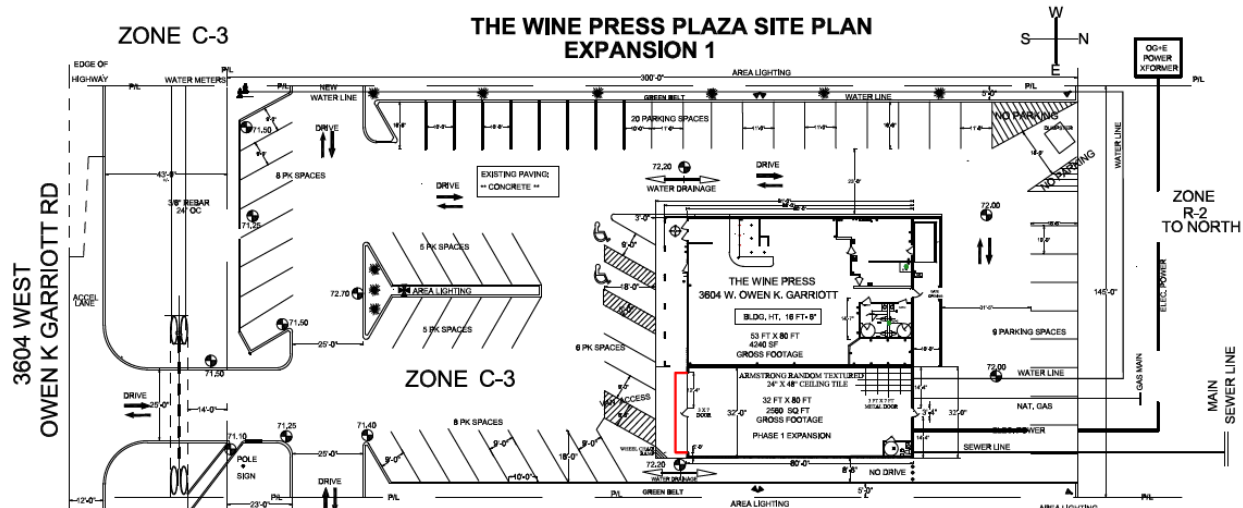
5. By not having a master plan, it could create future design and financial issues for all involved.

In summary, we believe there should be a master sidewalk plan for West Owen K. Garriott Road that addresses all elevation variances, drainage ditch conditions, intersections, other business entrances, all connecting sidewalks, added liability insurance and property easement issues. We believe that a master plan should be implemented first, where the City of Enid will receive maximum benefit. We believe that at this time, waiving the sidewalk requirement is justified.









PROPOSED CHANGES TO THE ORIGINAL CICI'S SITE PLAN DATED OCT. 1997

- * ADD 2860 SQ FT OF RETAIL SPACE TO THE EAST SIDE
 - * PROPOSED SIGNAGE FOR RESTAURANT W / 80 TO 81 SEATS
 - * REMOVE TREES FOR INSTALLING ADDED PLUMBING, OTHER PLANT.
 - * RE-STRIP PARKING LOT
 - * MOVE DUMPSTER TO N.W. CORNER OF PARKING LOT
 - * ADJUST TOTAL PARKING TO 81 SPACES
- CREPE MYRTLE
- AREA LIGHTING BY OQ+H

★ IMPORTANT TO NOTE THAT NONE OF THE PROPOSED CHANGES OR ADDITIONS ALTER THE WATER DRAINAGE SYSTEM.

DWG. BY BILL GRIFFIN 405.598-1323 3/20/2015	DEVELOPER: M D G ENTERPRISES 2510 ALBA AVE. EDMONT, ONT. L2M 3K4
4171119 FIRM, ONE DRAWING APPROVAL NO. 3011 PL NO.	
<i>Chris Brown</i>	3/23/15
COMPLAINT NO. 133 LLOYD/15	0011
<i>John</i>	3/23/15
DATE DATE	DATE
<i>Robinson E Camp</i>	Kenneth J. Helms 2015.03.23 14:17:15 - 05:00
DATE DATE	DATE
Robinson E Camp	DATE DATE
PUBLIC WORKS	DATE

Changes to the plan require endorsement and approval by the City of Edmonton.