

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 19th day of October 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. Hear Enid Television Network (ETN) presentation by Steve Kime, Director of Public Relations and Marketing.
- ITEM # 2. Consider the approval of the minutes from the September 21, 2015 regular.
- ITEM # 3. Consider a **Rezoning** for property described as part of the Northeast Quarter of Section 16, Township 22 North, Range 7 West, I.M. located at 725 KL Drive.
- ITEM # 4. Consider a **Lot Split** for a tract in the Northeast Quarter of Section 13, Township 22 North, Range 7 West, Indian Meridian located at 1505 and 1515 West Owen K Garriott Road.
- ITEM # 5. Consider a **Lot Split** for part of the Southeast Quarter of Section 1, Township 22 North, Range 7 West, Indian Meridian located behind 1508 North Taylor.
- ITEM # 6. Consider a **Second Residential Drive** located at 2825 West Chestnut.
- ITEM # 7. Consider a **Sidewalk Variance** for Sarah Jones located at 2314 Sherry Lee.
- ITEM # 8. Hear a presentation from Robert Hitt on the **Capital Recovery** for Sanitary Sewer Improvement by the City of Enid known as Southwest Enid - Basin 2F SSD No. 1506,
- 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 21st day of September 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 18th day of September 2015, a copy of which is attached hereto.

Present: Mark Arnold, Cody Haney, Geoff Helm, Marvin Kusik, Eddie Mack, Cole Ream, Don Roberts, Don Rose, Ex-Officio Dr. David Vanhooser

Absent: Jim Strate, Jr. and Ex-Officio James Simunek

ITEM # 1: Consider the approval of the minutes from the August 17, 2015 regular meeting and the September 8, 2015 special meeting.

ACTION TAKEN:

Cole Ream made a motion to approve the August 17, 2015 regular minutes which was seconded by Cody Haney and passed unanimously with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Geoff Helm, Marvin Kusik, Eddie Mack, Cole Ream, Don Roberts and Don Rose

NAYS: None

Cole Ream made a motion to approve the September 8, 2015 special minutes, which was seconded by Don Rose and passed unanimously with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Geoff Helm, Marvin Kusik, Eddie Mack, Cole Ream, Don Roberts and Don Rose

NAYS: None

ITEM # 2. Consider a **Rezoning** for property described as Lots 8-9, Block 18, Garland Addition located at 525 South Arthur.

Chris Bauer gave background information on the property, the zoning and stated the property complies with the new Future Land Use Map. Mr. Bauer also informed the Planning Commission a protest had been received which amounted to 24% within the 300 foot radius of the proposed zoning. Mr. Bauer also advised the Commission the Garland Addition includes a restrictive covenant which prohibits business use.

Cynthia Williams residing at 520 South Garfield spoke against the rezoning of the property.

Jane Adams of 515 South Garfield spoke against the rezoning.

Nick Jackson, the applicant of the rezoning reported to the Planning Commission the proposed plan for the property. Mr. Jackson also stated he is working on having the restrictive covenant removed.

ACTION TAKEN:

Cole Ream made a motion to recommend approval of the **Rezoning** to the Mayor and Board of Commissioners contingent upon the restrictive covenant being removed by District Court action, which was seconded by Don Rose and passed with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Geoff Helm, Eddie Mack, Cole Ream, Don Roberts and Don Rose

NAYS: Marvin Kusik

ITEM # 3. Consider a **Rezoning** for property described as part of the Northeast Quarter Section 16, Township 22 North, Range 7 West, I.M. located in the 900 block of South Garland on the west side.

Chris Bauer provided background information on the property, the zoning and informed the Planning Commission the property does not comply with the new Future Land Use Map.

Eddie Mack asked if this was part of the Wal-Mart detention pond. Mr. Bauer stated that it was adjacent to the detention pond which the City of Enid's detention pond.

Cole Ream asked if the applicant had any issues connecting to the sewer if it became available.

Darin Busch stated they would connect to the sewer when it became available.

Chris Bauer clarified the platting requirements, if the sewer was within 1320' the applicant would be required to extend the sewer.

Dr. Vanhooser raised the issue that the proposal does not comply with the plan.

Cole Ream stated the Planning Commission and City Commission could approve on an as need basis for infill and redevelopment.

Eddie Mack asked if the streets were sufficient to handle the development. Chris Bauer stated the roads were adequate.

ACTION TAKEN:

Cole Ream made a motion to recommend approval of the **Rezoning** to the Mayor and Board of Commissioners, which was seconded by Cody Haney and passed unanimously with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Geoff Helm, Marvin Kusik, Eddie Mack, Cole Ream, Don Roberts and Don Rose

NAYS: None

ITEM # 4. Consider a **Lot Split** for property described as Tract 7, Enid Energy Center 1st Section located at 1201 North 54th and 1129 North 54th.

Chris Bauer gave background information on the lot split.

ACTION TAKEN:

Don Rose made a motion to approve the **Lot Split** which was seconded by Don Roberts and passed unanimously with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Geoff Helm, Marvin Kusik, Eddie Mack, Cole Ream, Don Roberts and Don Rose

NAYS: None

ITEM # 5. Consider **One-way** south on 7th Street from East 2nd Pine to Elm at Garfield Elementary School.

Chris Bauer gave background information on one-way request.

ACTION TAKEN:

Don Rose made a motion to recommend approval of the **One-way Request** to the Mayor and Board of Commissioners which was seconded by Mark Arnold and passed unanimously with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Geoff Helm, Marvin Kusik, Eddie Mack, Cole Ream, Don Roberts and Don Rose

NAYS: None

ITEM # 6. Consider **Diagonal Parking** on Maple between Washington and 2nd Street.

This item has been pulled from the agenda.

ACTION TAKEN:

No action taken.

COUNTY INTEREST:

ITEM # 7. Consider a **Lot Split** for property described as part of the Southeast Quarter Section 14, Township 23 North, Range 4 West, Indian Meridian located on Highway 74 north of Garber for an OG&E substation.

Chris Bauer gave background information on the lot split request.

ACTION TAKEN:

Don Roberts made a motion to approve the **Lot Split** which was seconded by Cody Haney and passed unanimously with the vote being recorded as follows:

AYES: Mark Arnold, Cody Haney, Geoff Helm, Marvin Kusik, Eddie Mack, Cole Ream, Don Roberts and Don Rose

NAYS: None

ITEM # 8. Adjourn.

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

The meeting adjourned at 6:35 PM.

ITEM # 3.

CONSIDER A REZONING FOR PART OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 22 NORTH, RANGE 7 WEST, INDIAN MERIDIAN LOCATED AT 725 KL DRIVE FROM “C-2” PLANNING BUSINESS CENTER AND “R-7” RESIDENTIAL MUTLI-FAMILY DISTRICT TO “C-3” GENERAL COMMERCIAL DISTRICT.

BACKGROUND:

This concerns property located at 725 KL Drive. The applicant is requesting rezoning the property from “C-2” Planning Business Center District and “R-7” Residential Multi-Family District to “C-3” General Commercial District. If approved the applicant is proposing to erect a hotel on the property.

The Mayor and Board of Commissioners adopted the Envision Enid Comprehensive Plan on September 1, 2015. Envision Enid designates this property as a “Traditional Neighborhood”; however the “Community Center” can be expanded to include this development.

Sewer and water mains exist in KL Drive.

The zoning pattern surrounding this request includes C-2 to the north, east and west and with R-7 to the south.

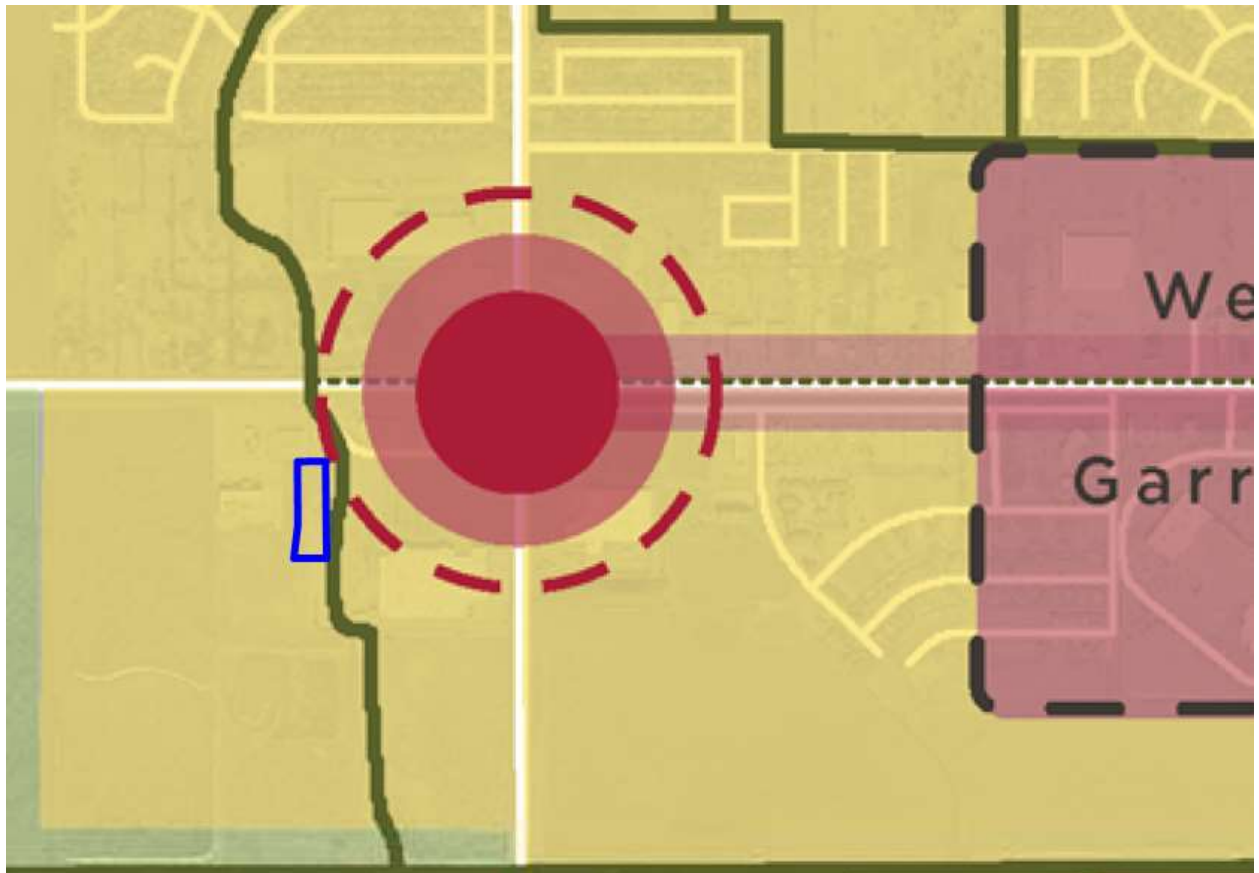
ATTACHMENTS: Location map.

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

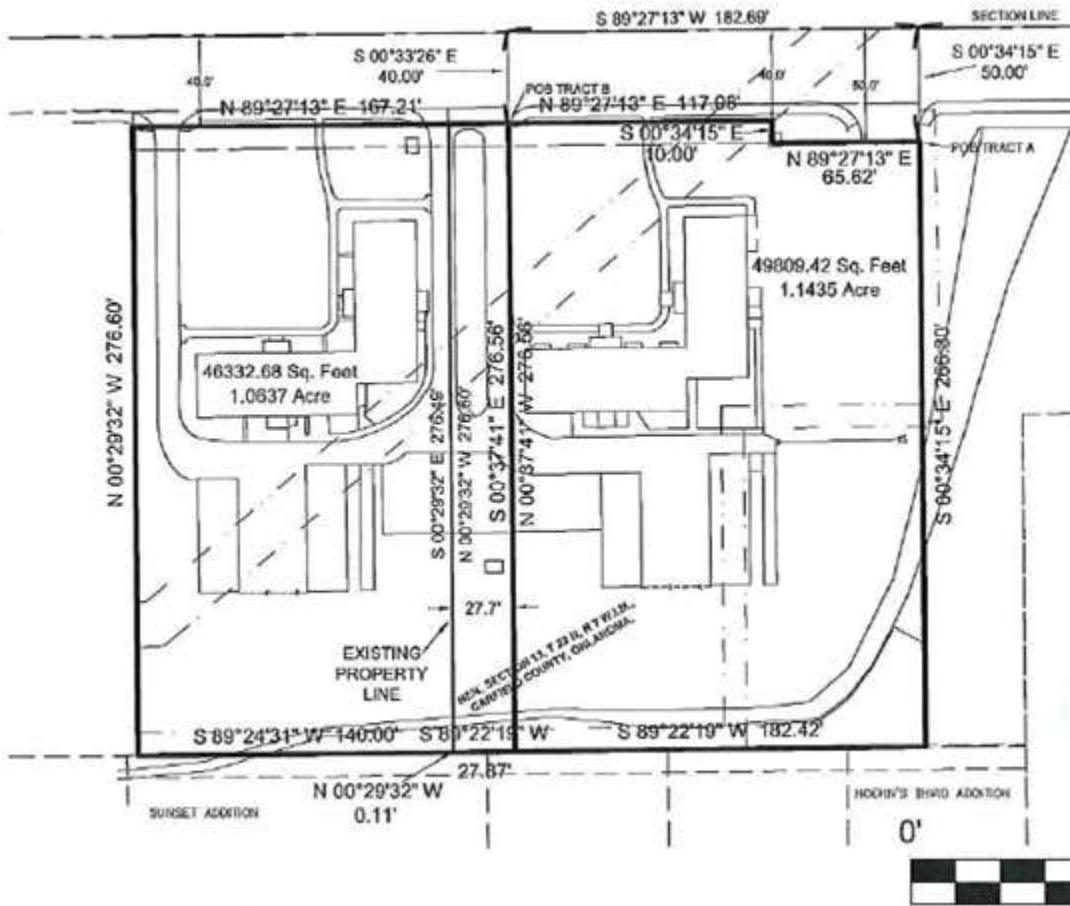
PRESENTER: Chris Bauer, Planning Administrator.





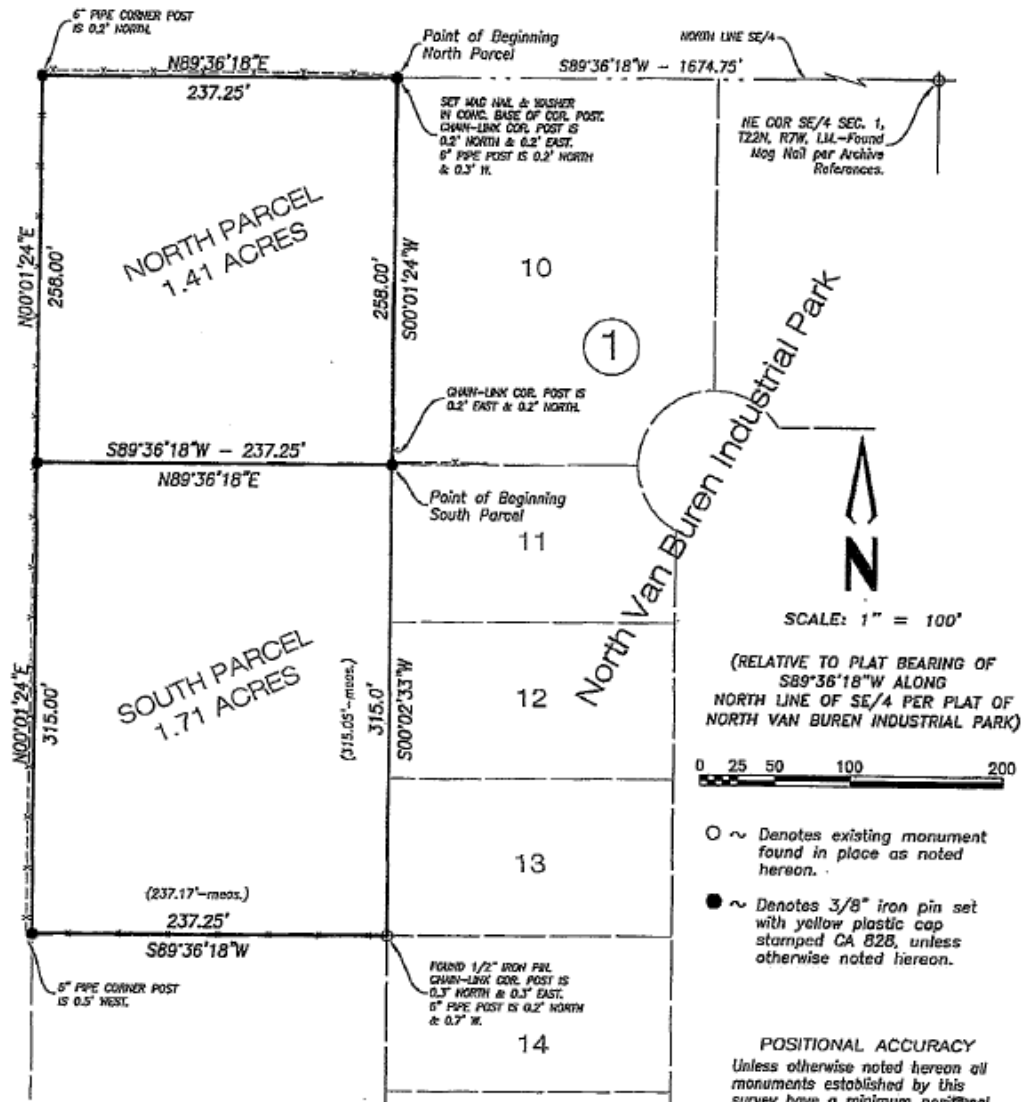








BOUNDARY SURVEY MAP for Lot-Split
 A Part of the SE/4 Sec. 1, T22N, R7W, I.M.
 ENID, GARFIELD COUNTY, OKLAHOMA



LAND DESCRIPTIONS

North Parcel-See attached Exhibit-A, Sheet 1 of 3
 Title to this parcel should not be transferred unless either attached
 to Lot 10, Block 1, North Van Buren Industrial Park, or reviewed
 and approved by MAPC.

NOTE:
 THERE ARE NO BUILDINGS WITHIN 5 FEET

ITEM # 6.

CONSIDER THE APPROVAL OF A SECOND RESIDENTIAL DRIVE ACCESS AT 2825 W. CHESTNUT AVENUE, LOT 4, BLOCK 1, STARLIGHT SECOND SUBDIVISION.

BACKGROUND:

City Ordinance 11-14-6 (F) sets out that access to arterial streets shall be approved by the Traffic Committee and the Metropolitan Planning Commission acts as the Traffic Committee.

Larry Younger, the property owner at 2825 W. Chestnut Avenue requests a second drive to access Chestnut Avenue. The proposed additional driveway meets the City standard for construction of a circle drive approach.

Mr. Younger recites the following reason for his request:

- Requesting circle drive for safety reasons to pull out onto Chestnut versus backing onto Chestnut (40 mph).

The intent of the ordinance is to limit access to arterial streets, allowing for arterial streets to act as major traffic movers with reduced conflict points and therefore improved safety while providing reasonable access to the street. Based on the fact that the standard for residential circle drives has been established on this street for the large lot frontages, residential drive or low volume drives, and the design standards are met; Engineering has no objection to the request.

ATTACHMENTS: Letter of request from the property owner Larry Younger, Location Map.

RECOMMENDATION: Approve

PRESENTER: Robert Hitt, PE, City Engineer

2825 W. Chestnut Avenue - Location Map



ITEM # 7.

CONSIDER A SIDEWALK VARIANCE FOR SARAH JONES LOCATED AT 2314 SHERRY LEE, DESCRIBED AS LOT 4, BLOCK 1, NORTH MARK ESTATES.

BACKGROUND:

Ms. Jones applied for building permit to place a mobile home on the lot. 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: 2314 Sherry Lee Enid, OK (street address):

Legal description: Lot 4 Blk 1 Northmark Estates

Current zoning of property: R-3PUD

Variance Request: do not want to build in sidewalk.

Section: 10-6-1: A. Sidewalks Required

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

no other lots or homes in the neighborhood has sidewalks. will not utilize sidewalk if in place.
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 8 day of Oct, 2015.

Applicant's signature: Sarah Jones

Telephone: 580-977-9743

Printed Name: Sarah Jones

Email: Sarah.homesellers@gmail.com

Address: 6309 W. Phillips

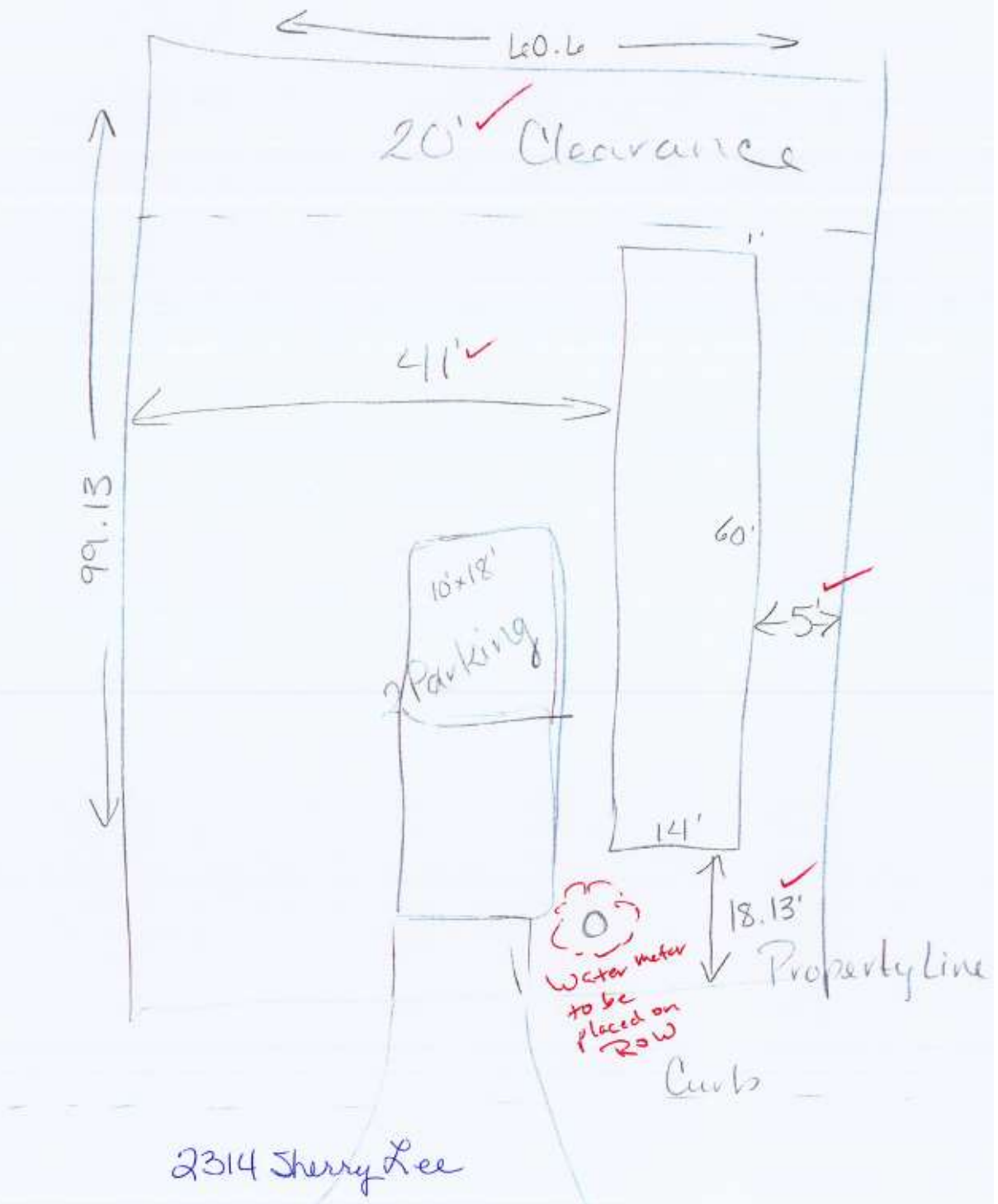
Date of Hearing set for the 19 day of Oct, 2015.



Place holder for photo

✓ APPROVED *VB*

'pins' are present.



2314 Sherry Lee

Chapter 6 SIDEWALKS

10-6-1: SIDEWALKS REQUIRED:

- A. All developments, as defined in section [10-4-2](#) of this title, and redevelopments must include sidewalks that parallel all abutting streets.

- B. Multi-family residential, commercial, educational, industrial and public gathering developments must incorporate sidewalks within its development.

- C. Exceptions:
 - 1. Developments and redevelopments along unimproved roads.
 - 2. Additions to existing buildings which are six hundred forty nine (649) square feet or smaller.
 - 3. Placement or construction of an accessory building of six hundred forty nine (649) square feet or smaller on a developed lot. (Ord. 2015-21, 5-14-2015)

10-6-2: SIDEWALK SPECIFICATIONS:

- A. Sidewalks shall comply with the most current accessibility guidelines associated with the Americans with disabilities act.

- B. Sidewalks shall be constructed using the minimum specifications provided in section [12-8-7](#) of this code.

- C. Should a conflict arise between guidelines associated with the Americans with disabilities act and the specifications provided in section [12-8-7](#) of this code, the more restrictive shall apply. (Ord. 2014-37, 11-18-2014)

10-4-2: DEFINITIONS:

As used in this chapter, the following terms shall have the meanings indicated:

ALLOWABLE RECOVERY COST (ARC): The amount, in dollars, of money subject to collection based on an excess capacity improvement project.

APPRAISED VALUE: The value of real property as determined by an independent appraiser who is certified by the state of Oklahoma.

AREA OF IMPACT (AI): The area that receives a benefit from the installation of the improvement.

BUA: The undeveloped area in a particular drainage basin in acres.

cfs: Cubic feet per second.

CAPITAL IMPROVEMENT: An improvement of the public infrastructure with a value of fifty thousand dollars (\$50,000.00) or more.

CONNECTION: The tapping into a public utility line, or physical work that allows a capital improvement to be used and will permit the usage of the capital improvement.

DEVELOPER: The person, company, or firm that is making the capital improvement to service a development site. The city of Enid and its trusts may be considered the developer when the referenced entity makes the improvement. In the case where a public entity makes the improvement and there is no identified development site, all of the improvement cost shall be considered for recovery.

DEVELOPMENT: The act of improving property by subdividing, site planning, construction on lot, or building permitting.

DEVELOPMENT SITE: The subdivision area, site plan area, building site, or tract of land that will directly benefit from the capital improvement.

DRAINAGE AREA: The area of land that drains to or through a capital improvement.

DRAINAGE SUBBASIN: An area within a drainage area to which drainage would contribute to a submain of a sewer.

EXCESS CAPACITY: Capacity of a capital improvement project beyond the capacity required for the development site providing the improvement.

EXCESS CAPACITY AGREEMENT: The contract between the city of Enid, or authority, and the "developer", as herein defined, concerning the construction, operation, and maintenance of an excess capacity capital improvement system, and payment of excess capacity fees.

EXCESS CAPACITY FEE: The amount of money to be paid by the user of excess capacity that exists when a developer installs a required improvement. The fee is paid to the city of Enid, for the user's benefit of excess capacity of the improvement. Such fee shall be based upon the cost of providing the excess capacity to the user.

EXCESS CAPACITY WATER LINE: Water lines that are ten inches (10") or larger diameter and have the capacity to serve users beyond the development site.

ITEM # 8.

HEAR PRESENTATION FOR CAPITAL RECOVERY, FOR SANITARY SEWER IMPROVEMENT BY THE CITY OF ENID, KNOWN AS SOUTHWEST ENID - BASIN 2F SSD NO. 1506

BACKGROUND:

City Ordinance 10-4-5 sets out the procedure for recovery of the proportional cost of excess capacity in a sanitary sewer public improvement. A developer, or in this case the City of Enid, can make a public sanitary sewer improvement and recover the cost of the excess capacity of the improvement from future users of the system.

The City of Enid is applying to construct a new 12" sanitary sewer line from approximately ¼ mile east of Garland Road and ½ south of Garriott Road West, approximately 6500 feet, and establish a system to recover the cost of the improvement from future users.

The line will provide a peak hourly capacity of 800 gallons per minute (gpm) for an approximate 27.22 acre area, east of Garland Road and south of Lowes store, and approximately 341.37 acres west of Garland Road, east of Wheatridge Road, south of Garriott Road and north of a line 1321 feet north of Rupe Avenue.

The estimated cost of improvements, right-of-ways and engineering is \$800,000.00. The initial estimated excess capacity fee is \$1000 per gpm. Based on the estimates a single residence user would be assessed at 0.66gpm, or a fee of \$660.00 to connect to the system. Commercial users would be assessed based on their design peak flow use of the allowable capacity.

Upon approval of the application, notice will be provided to property owners in the district boundary and the application will be forwarded to the City Commission for approval. No land owner is required to make any payments until the owner decides to make use of the excess capacity sanitary sewer.

ATTACHMENTS: Boundary Location Map.

RECOMMENDATION: Hear presentation.

PRESENTER: Robert Hitt, PE, City Engineer

