

## MINUTES

### SAPULPA METROPOLITAN AREA PLANNING COMMISSION

Tuesday, February 23, 2016 - Regular Meeting - 7:00pm  
City Hall, 2<sup>nd</sup> Floor Council Chambers  
425 E. Dewey Avenue Sapulpa, Oklahoma

**1. Meeting called to Order at 7:00 pm by Chairman John Mark Young**

**2. Invocation**

**3. Pledge of Allegiance**

**4. County Items**

**5. Roll Call – 7:16 p.m.**

Members present: Deborah Frost, Darrell Harger, Lou Martin, Kayla Parnell, Andrew Probst, Valerie Sprague, Newt Stephens, Mark Lawson, John Mark Young

Members absent: None

**Approval of the January 26, 2016 Minutes**

Motion to APPROVE made by Martin, seconded by Probst

AYE – Harger, Martin, Parnell, Probst, Sprague, Stephens, Lawson, Young

NAY – None

ABSTAIN – Frost

MOTION PASSED 8 – 0 – 1

**6. Public Hearing Items**

- A.** SAZ-930 - 180 Realty, LLC / Scott Gordon, Lots 6, 7, 8, 9 and Lots 40, 41, 42, 43, ALL in Block 2, Westport Addition to the City of Sapulpa, Creek County, State of Oklahoma, according to the recorded plat thereof;

AND

Lot 9, Block 2, and Lot 12, Block 3, and Lot 18 Block 6, and Lots 7, 8, 9, 10, 11, Block 8, ALL in Business Men's Addition to the City of Sapulpa, Creek County, State of Oklahoma, according to the recorded plat thereof;

AND

Lot 8 Block 32, and Lots 10, 12, 15, 16 Block 33, and Lots 9, 10, 11, 12, 13, 14, 15, 16 Block 36, and Lots 1, 2, 3, 4, 5, 6, 7, 8, 14, 15, 16 Block 37, and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 Block 44, and Lot 14 Block 46, and Lots 4, 5 Block 47, ALL in Tiger Addition to the City of Sapulpa, Creek County, State of Oklahoma, according to the recorded plat thereof; request to rezone said properties from RS-3 (Residential Single-Family High Density) to RD (Residential Duplex District)

Chair Young introduced SAZ-930 and requested a staff report.

Urban Development Director Rachel Clyne presented the staff report and recommended approval.

Chair Young asked for any questions for staff and confirmed the applicant was present.

Martin questioned staff regarding the size of the lots and their buildability. Director Clyne responded that all lots must meet bulk and area requirements prior to construction to ensure compliance with the Zoning Code and lot combinations may be required.

Applicants Scott Gordon and Melvin Matthews, representing 180 Realty, LLC were present for questions about the application. Gordon stated economic reasons for requesting rezoning for all properties at one time. Additionally, he stated that duplexes as well as single-family homes would be constructed on the lots.

Chair Young opened the public hearing.

The following citizens addressed the board with questions, comments, and concerns regarding the rezoning request. Issues stated included increased traffic, increased crime, and devaluation of the existing residences in the neighborhood.

Sapulpa City Councilor, John Anderson – Ward 2  
Phil McCormick – 245 N Johannes St  
Terence Anderson – 308 N Burnett St  
Tim Grant – 705 N Leonard St

Applicant Gordon advised that, at maximum, eleven (11) duplexes would be constructed on the 59 lots.

Public hearing was closed

There was discussion amongst the Commissioners. Creek County Commissioner, Newt Stephens requested specifics, a "plan", for the project. Mr. Gordon restated that there was not a specific plan in place at this time. The application to rezone of the 59 lots was a financial decision – it was more cost effective to pay fees all at one time instead of paying multiple times. Chair Young opinioned that some development was better than no development.

Motion to RECOMMEND APPROVAL made by Harger, seconded by Lawson  
AYE – Harger, Martin, Parnell, Lawson, Young  
NAY – Frost, Probst, Sprague, Stephens  
MOTION PASSED 5 – 4

Chair Young advised that the Sapulpa Metropolitan Area Planning Commission (SMAPC) was a recommending body and the Sapulpa City Council at its March 7, 2016 meeting would hear the application.

- B.** SAZ-931 Carson and Yocham, LLC, 905 S Hickory, aka Lot Thirteen (13), less and except: the west 5.15 feet thereof, Diane Home's Addition to the City of Sapulpa, Creek County, State of Oklahoma, according to the recorded plat thereof; request to rezone said property from RS-3 (Residential Single-Family High Density District) to CS (Commercial Shopping Center District).

Chair Young introduced SAZ-931 and requested a staff report.

Director Clyne presented the staff report and recommended approval.

Chair Young asked for any questions for staff and confirm applicant not present.

Chair Young opened the public hearing – no comments

Public hearing was closed -- no discussion by the Commissioners

Motion to RECOMMEND APPROVAL made by Martin, seconded by Probst  
AYE – Frost, Harger, Martin, Parnell, Probst, Sprague, Stephens, Lawson, Young  
NAY – None  
MOTION PASSED 9 – 0

- C.** SUP-001 – Gem Dirt, LLC / Ron Miller, A 40-acre portion of property adjacent to Polecat Creek in Creek County, Oklahoma. The 40-acre segment is carved from a 189-acre property, which is the Clary Fields Golf Club located at 9999 S. 49th West Avenue. (S28 and 21, T18N, R12E) The subject property 40-acre site is located in the northwest corner of the 189-acre parcel (Clary Fields).

Chair Young introduced SUP-001 and requested a staff report.

Director Clyne presented the staff report and recommended approval with conditions listed in the report. Clyne advised the Commissioners that a report from the City's Environmental Consultant, Brook Kononchuk was not included in the packets. Clyne summarized the environmental report and noted it was a recommendation for approval with several specific conditions.

Chair Young asked for any questions for staff and confirmed the applicant was present.

Stephens questioned the timing of the information sheet from Brooke Kononchuk.

Consultant Kononchuk acknowledged the late arrival of the environmental report and apologized. Kononchuk presented her report on Polecat Creek because the applicant's proposed project would be on the southern bank of the creek. She explained that the Oklahoma Department of Environmental Quality (ODEQ) had placed a segment of Polecat

Creek on the impaired waterways list due partially to the lack of necessary macroinvertebrates. She advised that ODEQ would mandate improvements in Polecat Creek be performed by the City of Sapulpa. Kononchuk further stated that additional studies were required to identify the source(s) of the reduction in macroinvertebrates.

Kononchuk stated that her recommendation of approval of the application was subject to several, specific requirements. Included in the requirements were a stream monitoring plan to protect the stream, a 100' buffer zone between Polecat Creek and proposed surface mining site, ongoing sediment and erosion control measures, and remediation of the topsoil upon project completion.

Director Clyne amended her recommendation of approval to include the requirements and conditions listed on Kononchuk's report. Clyne advised the proposed project did not conflict the City of Sapulpa 2030 Comprehensive Plan. Clyne opined that the projects temporary nature with remediation at completion and the applicant's good standing with the Oklahoma Department of Mines—along with the dirt removed from a floodway were substantial reasons for a recommendation for approval.

Chairman Young opened the public hearing and asked the applicant to step to the podium.

Applicant Ron Miller, representing GEM Dirt, LLC, stated the company's operation of a dirt pit on the north side of Polecat Creek, which resides in Creek County, has been a great success for the past eight (8) years. Additionally, Applicant Miller advised that earth removal from the north dirt mine was nearly complete. He stated that remediation would start occur while the south side project is beginning. Miller stated that Gem Dirt will not be mining both sides of Polecat Creek at the same time, but the process to reclaim the earth on the north side would take approximately six (6) months.

Chairman Young asked in anyone in the audience wanted to speak in support of the application – no comments.

Chairman Young asked in anyone in the audience wanted to speak in opposition of the application.

The following citizens addressed the board with their questions, comments, and concerns in regards to increased traffic; road/bridge damage; creek pollution; and devaluing the neighborhood. Additionally, concerns about Sapulpa's image; reduction of growth in Sapulpa; unattractive use of land; dirt operation not appropriate for Sapulpa; dump trucks; and dust.

Cheryl Hall – 4832 W. 89<sup>th</sup> Street, Tulsa (Creek County)

Brad Bingman – area realtor

Guy Berry – Moccasin Lane

Joe Crowder – "resident of the area"

Mike Wiederstein - 9312 S 46<sup>th</sup> W. Avenue, Tulsa (Creek County)

Sapulpa City Councilor, Alan Jones – Ward 5  
Pat Graham – 9103 S 46<sup>th</sup> W Avenue, Tulsa (Creek County)  
Susie Fleming – 39<sup>th</sup> W. Ave  
Elle Fowler – Blue Thumb Group, Jenks School  
Dennis Parker – "home builder"  
Chris Parker – area landowner and developer  
Bill Bacon – 570 W. Lakeview, Cross Timbers  
Rick Engleman – Board of Adjustment member, 726 E. Teresa  
Rich Golloher - 9122 S. 46<sup>th</sup> W. Avenue, Tulsa (Creek County)  
Kerry Elias - 10195 S. 49<sup>th</sup> W. Avenue, Tulsa (Creek County)

Chair Young offered Applicant Miller the opportunity to present a rebuttal.

Miller restated that the proposed site was across Polecat Creek from the existing GEM Dirt site to address the concerns of additional dump trucks. He also advised that nearby Enterprise Dirt Sales, Duncan and Sons (excavation), and the Creek County Landfill are businesses that travel the same streets with dump trucks.

Vice Chair Mark Lawson called a short recess.

Planning Commissioners and Miller discussed several topics: existing buffers; quality of dirt; visibility of existing and proposed sites; sales tax revenue for dirt purchased on-site; and good corporate citizenship.

Motion to RECOMMEND DENIAL made by Harger, seconded by Martin  
AYE – Frost, Harger, Martin, Parnell, Probst, Sprague, Stephens, Lawson, Young  
NAY – None  
MOTION PASSED 9 – 0

**7. Old Business – None**

**8. New Business – None**

**9. Approvals and Acceptances – None**

**10. Adjournment**

Motion to adjourn made by Stephens, seconded by Harger  
All members stated "AYE"  
Meeting adjourned

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**Chair, SMAPC**