

MINUTES

SAPULPA METROPOLITAN AREA PLANNING COMMISSION

Tuesday, March 22, 2016 - Regular Meeting - 7:00pm
City Hall, 2nd 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, Newt Stephens, Mark Lawson, John Mark Young

Members absent: Valerie Sprague

Approval of the February 23, 2016 Minutes

Motion to APPROVE made by Martin, seconded by Frost

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

NAY – None

MOTION PASSED 8 – 0

6. Public Hearing Items

- A.** Applicant - SUP – 002 William Ditterline / Sooner Dirt, approximately 2 acres located on the north end of The West Half of the Southwest Quarter of Section 31, Township 18 North, Range 12 East of the Indian Base and Meridian, Creek County, State of Oklahoma, according to the U.S. Government Survey thereof, Less and Except a Strip, Piece, or Parcel of land lying in Lot 4 (SW/4 SW/4) of Section 31, Township 18 North, Range 12 East, Creek County, State of Oklahoma. Said Parcel of land described by metes and bounds as follows: Beginning at the Southwest corner of said Lot 4 thence North a distance of 100 feet, thence N°58'E a distance of 1319.8 feet to a point on the East line of said Lot 4 thence South along said East line a distance of 100 feet to the southeast corner of said Lot 4, thence West along the South line of said Lot 4 a distance of 1319.8 feet to the point of beginning for new right-of-way, the remaining area included in the above description being 24.75 foot Section line right-of-way. And Less and Except All that part of Lot 3 (NW/4 NW/4) and All that part of Lot 4 (SW/4 SW/4) in Section 31, Township 18 North, Range 12 East of the Indian Base and Meridian, Creek County, State of Oklahoma, lying West of the thread of the stream of Pole Cat Creek.

The application is for a Use Unit 23 -- Mining and Mineral Processing located in AG (Agriculture District) zoning designation. Per the Sapulpa Zoning Code (Code), the zoning designation (Agriculture District) of the subject property is an appropriate district to request a Specific Use Permit for a Use Unit 23 (Mining).

Chairman Young introduced SUP-002 and requested a staff report.

Urban Development Director Rachel Clyne presented the staff report stating "...staff has reviewed the application and has discussed the process with the applicant. Based upon the review and those conversations, staff recommends that the Planning Commission recommend that the City Council approve this denial for a Specific Use Permit (SUP) for a Use Unit 23 (Dirt Mining) at the subject property."

Chairman Young asked the Commissioners if there were questions for staff and confirmed the applicant was present.

Martin asked if what looked like debris in the second photo actually was debris. Clyne confirmed that it was debris -- construction debris including concrete and rebar.

Probst asked if the applicant provided a reason for building a pond on the land. Clyne stated a reason for the pond was not discussed when she spoke with the applicant.

Chairman Young confirmed the subject property was in a floodplain and questioned if debris may be brought into a floodplain area. Clyne stated that no type of fill should be brought into a floodplain unless appropriately permitted.

Probst asked Director Clyne if her recommendation of denial was based on the property currently being in violation. Clyne stated yes.

7:20 p.m. Valerie Sprague arrived.

Probst asked if a permit was required for a pond in AG districts. Clyne stated that it would depend on the use of the pond.

Brooke Kononchuk, Sapulpa's Environmental Administrator explained to the Commissioners that this project falls along the same watershed as a previous case, SUP-001. She expressed that anything done to prevent any further damage to the environment was best.

Chairman Young asked Kononchuk if she thought any of the debris on the subject property was from previous dirt mining activity. Kononchuk stated that she had walked the creek and this property and the debris was likely from many different sources. She opined it was unlikely that one specific thing or event was responsible for the debris accumulation.

Director Clyne advised that Kononchuk would contact all appropriate agencies regarding mining near Pole Cat Creek and DEQ will take the lead of any investigation.

Chairman Young opened the public hearing for comments.

Applicant Ditterline and one of the partners in the land ownership, Joe Bill Lierly were present and spoke.

Lierly acknowledged the creek is currently dirty and needs to be "cleaned up again."

Probst asked the purpose of the pond. Ditterline responded that it would be a pond like other ponds in AG zoning.

Lierly explained in detail the soil type in the area. He further stated that if the land were used for cattle, a pond would be a necessity.

Martin inquired if the purpose of the pond was to water cattle.

Lierly stated that the end purpose for the land was not yet decided. In addition, Lierly stated that if any saleable soil resulted from digging the pond, that soil would be sold.

Several citizens addressed the Commissioners with questions, comments, and concerns regarding the following: increased traffic; road damage; creek pollution; and the devaluation of the neighborhood. Additional concerns included the following: Sapulpa's image; limits on growth; unattractiveness of dirt pits; inappropriate land uses within the City; dump trucks; dust; and loss of endangered wildlife, specifically the Bald Eagle.

Sam Allen presented the Commissioners with a packet of information on the previous dirt mining operation at this location.

Jim and Lois Korn presented the Commissioners with Google Earth® aerial photographs of the property over the last decade to indicate the changes.

The Chair recognized the following people to speak on this item:

Sam Allen – Thompson Avenue

Jim and Lois Korn – north of the subject property

Guy Berry – Moccasin Bluff addition

Jane Allen – Moccasin Bluff addition

Claudia Bartlett – 106 Bruner Road

Chair Young asked the applicant to address any of the concerns mentioned.

Planning Commissioners and Lierly 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

Chair Young stated the application would be heard by the City Council at its March 18, 2016 scheduled meeting.

- B.** Applicant: PUD 2016-001 – Oak Leaf Estates, LLC, a tract of land located in the E/2 of Section 9, Township 18N, Range 13E containing +/- 35.0 acres. The property is more generally located south of West 74th Street South on the west side of South 33rd West Avenue request review of a preliminary plat and Planned Unit Development (PUD) for said property.

Chairman Young introduced the item and called for a staff report

Director Clyne presented the staff report and recommended approval. She also stated that this property was annexed in approximately December of 2015 for this purpose.

Applicant Tim Terral and property owner Henry Penix were present.

Terral and Penix jointly explained that the development would be an exclusive, gated community designed to maintain the natural beauty of the area. Additionally, the property would include an onsite detention pond/water feature approximately 2.5 – 3 acres in size.

The Chair recognized the following citizens to voice their questions, comments, and concerns about the agenda item.

Dr. Michael Taylor – 3375 W 71st St., Tulsa, Oklahoma
Mark Hine – 3356 W 74th St., Tulsa, Oklahoma

Additionally many property owners from Allyn Faye Estates, the residential subdivision to the north, spoke candidly amongst themselves and to Penix regarding the project. Penix confirmed a Home Owners Association would exist for the Planned Unit Development (PUD).

Commissioners briefly discussed the preliminary plat and PUD

Motion to APPROVE (preliminary plat) and RECOMMEND APPROVAL (PUD) made by Harger, seconded by Lawson
AYE – Frost, Harger, Martin, Parnell, Probst, Sprague, Stephens, Lawson, Young
NAY – None
MOTION PASSED 9 – 0

6. Old Business – None

7. New Business – None

8. Approvals and Acceptances – None

9. Adjournment

Motion to adjourn made by Stephens, seconded by Harger

All members stated “AYE

Meeting adjourned

Chair, SMAPC