

**MINUTES
PLANNING & ZONING COMMISSION**

ITEM 1: CALL TO ORDER / ROLL CALL

The regularly scheduled meeting of the Newcastle Planning and Zoning Commission was held on October 29, 2018. The meeting was called to order at 7:05 p.m. by Chairman Gordon Harness.

Roll Call:

Chairman:	Gordon Harness	Present
Vice-Chairman:	Karl Evans	Absent
Commissioner:	Dennis Sanders	Present
Commissioner:	Jared Bennett	Present
Commissioner:	Will Wright	Present

Others: Todd Kennemer

ITEM 2: CONSIDER APPROVAL OF AGENDA

Gordon Harness made the motion to amend the October 29, 2018 Agenda and move Items 13 and 14 to follow Item 7. Dennis Sanders seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Absent
Bennett	Yes
Wright	Yes

Motion carried

**ITEM 3: CONSIDER APPROVAL OF MINUTES
September 24, 2018, Regular Meeting**

Dennis Sanders made the motion to approve the minutes of the September 24, 2018, Regular meeting. Jared Bennett seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Absent
Bennett	Yes

Wright Yes

Motion carried

ITEM 4: REPORT OF CITY COUNCIL’S DECISION ON PLANNING COMMISSION RECOMMENDATIONS OF LAST MEETING

Use Permitted on Review for a dog kennel for Rob Holman was approved by the City Council. The Mitchell property on Highway 9 and Penn was continued to the next City Council meeting.

ITEM 5: CONTINUANCE REQUESTS

None

ITEM 6: CITIZENS COMMENTS

None

**ITEM 7: LOT SPLIT/DEED APPROVALS Discussion and/or action
Don & Donna Lunsford – TK approved 9-24-18
Jessie Daniel Trust – TK approved 10-3-18**

ITEM 13: DISCUSSION AND POSSIBLE ACTION ON NAME CHANGE OF FINAL PLAT OF ARROWHEAD TO FINAL PLAT OF JUBILATION

Daniel Remington, developer, told the Planning Commission that because of the unique identity and name “Arrowhead” he would like to reserve this name for future developments on property that he has purchased on Highway 9 that had not been sold in 149 years. There was no public comment.

Gordon Harness made the motion to recommend approval of the name change of Arrowhead to Jubilation. Jared Bennett seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Absent
Bennett	Yes
Wright	Yes

Motion carried

ITEM 14: DISCUSSION AND POSSIBLE ACTION ON NAME CHANGE OF FINAL PLAT OF CHISHOLM TRAIL TO FINAL PLAT OF CELEBRATION

Daniel Remington, developer, told the Planning Commission that because of the unique identity and name “Chisholm Trail” he would like to reserve this name for future developments on property that he has purchased on Highway 9 that had not been sold in 149 years. There was no public comment.

Gordon Harness made the motion to recommend approval of the name change of Chisholm Trail to Celebration. Jared Bennett seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Absent
Bennett	Yes
Wright	Yes

Motion carried

ITEM 8: A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR REZONING FROM C-C-2 (COMMUNITY COMMERCIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT) FOR NE 19TH DUPLEXES FOR COOK 01 DEVELOPMENT, LLC LOCATED IN THE NW/4 OF SECTION 11, TOWNSHIP 9 NORTH, RANGE 4 WEST, I.M. MCCLAIN COUNTY, OKLAHOMA. PROPERTY LOCATION: APPROXIMATELY 550 FT. EAST OF HIGHWAY 62 ON NE 19TH STREET, NEWCASTLE, OKLAHOMA (R2018-012)

Brad Reid, Crafton Tull, presented the Rezoning Application. This development will consist of 19 lots for a total of 38 units on 5.23 acres.

In anticipation of this development, the developer provided detention in Bradford 6 with a common area located on the South side. The PUD document outlines lot sizes larger than 8,000 sq. ft., 85% brick, and gated with private streets and public utilities with an underlying zoning of R-F-2.

Todd Kennemer presented his summary for the PUD zoning.

Public Comment:

Greg Henning, property owner to the South, wanted clarification on PUD zoning.

After further discussion, Dennis Sanders made the motion to recommend approval of the PUD zoning for the NE 19th Duplexes for Cook 01 Development, LLC. Jared Bennett seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Absent
Bennett	Yes
Wright	Yes

Motion carried

ITEM 9: DISCUSSION AND POSSIBLE ACTION ON PRELIMINARY PLAT OF NE 19TH PLACE DUPLEXES

Brad Reid, Crafton Tull, presented the Preliminary Plat of the NE 19th Duplexes.

Todd Kennemer discussed questions regarding the Plat from his summary sheet. Mr. Reid has agreed to change the cul-de-sac radius' to 42'. The sidewalks will also be included in front of the right-of-way of each house. Side and rear yard setbacks need to be shown. Also, would like storm sewer locations, along with other corrections from Mr. Kennemer's summary sheet. Mr. Reid will also check on drainage easement to the City.

Gordon Harness also commented on some corrections to the PUD document:

1. Section 5.0 Clarify that pond is on the next property.
2. 7.4 Should be North of the main fire station
3. 8.1 omit end of sentence starting with special exceptions.
4. Add "Allowed R-F-2 uses are specifically deleted within this PUD.
5. 9.7 Dumpster Regulations: use Standard Residential pickup instead of 50 ft.
6. 9.9 Parking Regulations: Review
7. 9.8 Access Regulations

Public Comment:

Greg Henning, property owner to the South, is requesting an 8 ft. cedar fence on the South property line. Mr. Henning explained that the Bradford property currently uses an 8 ft. cedar fence. Mr. Reid commented that plans were to construct a 6 ft. fence on the

South. Mr. Henning would like to see the fence for this duplex continue as an 8 ft. cedar fence with metal post. Gordon Harness also commented that he would like the fence to continue as an 8 ft. cedar fence to keep consistent with the existing fence.

With the Applicant's consent, this item will be continued to the regular November Planning Commission meeting.

ITEM 10: A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR REZONING FROM A (AGRICULTURE) TO PUD (PLANNED UNIT DEVELOPMENT) ESTATES OF NEWCASTLE FOR GURLEY FAMILY TRUST LOCATED IN A PARCEL OF LAND IN THE W/2 NW/4 OF SECTION 11, TOWNSHIP 9 NORTH, RANGE 4 WEST, I.M., MCCLAIN COUNTY, OKLAHOMA. PROPERTY LOCATION: APPROXIMATELY 250 FT. EAST OF HIGHWAY 62 ON NE 19TH STREET, NEWCASTLE, OKLAHOMA (R2018-013)

David Rhodes, presented the Application for the Gurley Trust for rezoning from (should be C-C-2) to PUD. Mr. Rhodes currently has a contract to purchase the property. The PUD document details plans for Sr. Housing for a total of 60 units. All units will be ground level, ADA compliant, one and two bedrooms, with safe rooms. The development will have private streets, but no gate. The units will be rentals.

Mr. Rhodes is requesting PUD zoning at this time. A Preliminary Plat will be submitted at a later date.

Commissioner Jared Bennett commented on the possible traffic problems on Highway 62 with all the new development in the area feeding from NE 19th Street.

Gordon Harness commented that the Applicant needs to visit with the Applicant in Item 9 above regarding an external easement across the property regarding drainage. Gordon also mentioned from Item 9 regarding the 8 ft. continuation fence on this property.

It was discussed that 7. Street Design and Improvements of the PUD document needs clarification as maintained by rental property owner. Gordon would like the PUD document reviewed before submitting to City Council.

There was no public comment.

Gordon Harness made the motion to recommend approval of the PUD zoning for the Gurley Family Trust. Jared Bennett seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Absent
Bennett	Yes
Wright	Yes

Motion carried

ITEM 11: A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR USE PERMITTED ON REVIEW FOR DR. STEPHEN MCCAN, S & M PROPERTIES/LZ'S HEALING HANDS, LLC FOR THE USE OF A MASSAGE THERAPY FACILITY (COMMERCIAL LEASING UNIT #2 NEXT TO ESTABLISHED TRI CITY CHIROPRACTIC CLINIC) LOCATED IN THE SE/4 SW/4 OF SECTION 31, TOWNSHIP 10 NORTH, RANGE 4 WEST, I.M., MCCLAIN COUNTY, OKLAHOMA. PROPERTY LOCATION 3605 NW 32ND STREET, NEWCASTLE, OKLAHOMA (UPOR2018-013)

Lori Zimmerman, owner of LZ Healing Hands, presented the Application. She is proposing to locate her massage therapy in Unit #2 next door to Tri City Chiropractic Clinic owned by Dr. Stephen McCan. Dr. McCan owns Unit #2. Ms. Zimmerman has previously worked with Dr. McCan. She was previously located in Newcastle and worked with Dr. Ellison, who is also a Chiropractor in Newcastle. Ms. Zimmerman also presented Letters of Recommendation as well as all documentation required by Ordinance 760 regarding massage therapist and facilities.

There was no public comment.

Gordon Harness made the motion to recommend approval of the Use Permitted on Review Application for Dr. Stephen McCan for the use of a Massage Therapy Facility. Will Wright seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Absent
Bennett	Yes
Wright	Yes

Motion carried

ITEM 12: A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR USE PERMITTED ON REVIEW FOR ETHEL C. WILSON/MEADOWS OIL & GAS ON BEHALF OF TRP MIDCON “GREY GHOST” 1H35 FOR THE USE OF AN OIL AND GAS WELL LOCATED IN THE S/2 SW/4 OF SECTION 35, TOWNSHIP 9 NORTH, RANGE 4 WEST, I.M., MCCLAIN COUNTY, OKLAHOMA. PROPERTY LOCATION: EAST OF HIGHWAY 62 ON SE 32ND STREET, NEWCASTLE, OKLAHOMA (UPOR2018-014)

Joey Brecker, TRP Operating LLC, as well as Jody Crook and Eric McClanahan presented the UPOR Application on behalf of Ethel Wilson, owner of the property.

They are proposing to drill the “Grey Ghost” well. TRP Operating has already received the Permit to Drill from the OCC. The well site is approximately ½ mile East of Highway 62 on SE 32nd Street.

Updated documentation was presented along with the Permit to Drill from the OCC. The pad site will be moved 25 ft. back from what was originally proposed; well bore will stay as proposed. It is located 250 ft. from SE 32nd St.

Equipment will be located on the North side of the pad parallel to the SE 32nd Street. The nearest residential is located 1,125 feet SW of the proposed well bore.

Public Comment:

Chuck Holland, 1506 SE 32nd, discussed the location. He would like plantings around the fenced area after completion. Gordon Harness commented that the Ordinance does not require plantings, only fencing.

Kathy Holland, 3400 S. Main, is concerned that her family property will be negatively influenced and will also obstruct the views.

After further discussion, Gordon Harness made the motion to recommend approval of the UPOR for Ethel Wilson/TRP Midcon “Grey Ghost” with the following conditions:

1. Recommended truck route to use SE 32nd Street from the well road location entrance to US Highway 62 which lies approximately .25 miles West of the well entrance.

2. Winged entrance to the well site shall have standard dimensions of approximately 130 ft. wide x 96 ft. deep. The entrance and drive shall have a 6-inch gravel base.
3. During rig move in and move out, and high traffic volumes on Highway 62, live flaggers may be necessary at Highway 62 and SE 32nd Street.
4. The pad site will be as presented on site map received October 29, 2018.
5. Pad site will use standard construction with mudding problems resolved in 48 hours to prevent mud from tracking on public roadways.
6. Signage will include emergency information and contacts and operator will coordinate with Police and Fire with updated list at 6- month intervals.
7. Hours of Operation: approximately 40 days, 24-hour drilling will be allowed; approximately 60 days, 24-hour operating period will be allowed; after which time will adhere to City of Newcastle Ordinance guidelines.

Jared Bennett seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Absent
Bennett	Yes
Wright	Yes

Motion carried

**ITEM 15: DISCUSSION AND POSSIBLE ACTION ON
AMENDMENTS TO FINAL PLAT OF WYNDEMERE II**

Brad Reid, Crafton Tull, presented the Plat. This plat was previously approved, along with Wyndemere Phase III, but has been amended because of the Wyndemere Duplexes. To date, neither plats have been filed of record at the county. The amended Plat shows drainage and common areas removed and also acknowledges that an easement will be given pending another section of common area being approved (Wyndemere Duplexes).

Public comment:

Brenda Gladney would like to see the changes that have been made of the current layout because of changes that have been made.

After discussion, Gordon Harness made the motion to recommend approval of the amended version of Wyndemere Phase II. Jared Bennett seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Absent
Bennett	Yes
Wright	Yes

Motion carried

ITEM 16: DISCUSSION AND POSSIBLE ACTION ON AMENDMENTS TO FINAL PLAT OF WYNDEMERE III

See discussion in Item 15.

Gordon Harness made the motion to recommend approval of the amended version of the Final Plat of Wyndemere III. Dennis Sanders seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Absent
Bennett	Yes
Wright	Yes

Motion carried

ITEM 17: DISCUSSION AND POSSIBLE ACTION ON THE FINAL PLAT OF WYNDEMERE DUPLEXES – continued

Community Development, Todd Kennemer, has recommended approval of the Final Plat of Wyndemere Duplexes. City Engineer, Kenny Sullivan has approved the drainage. Gordon Harness commented on the split median entrance.

Gordon Harness made the motion to recommend approval of the Final Plat of Wyndemere Duplexes. Dennis Sanders seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Absent
Bennett	Yes
Wright	Yes

Motion carried

ITEM 18: DISCUSSION AND POSSIBLE ACTION ON FAÇADE REQUIREMENTS – continued

Continue

ITEM 19: DISCUSSION AND POSSIBLE ACTION ON SETTING DATE FOR NEXT SPECIAL MEETING

None

ITEM 20: NEW BUSINESS

Gordon Harness commented that at the last City Council meeting he discussed a possible amendment to the Oil & Gas Ordinance regarding the intensity of the flares.

ITEM 21: OLD BUSINESS

None

ITEM 22: ADJOURNMENT

Dennis Sanders made the motion to adjourn the meeting at 9:50 p.m. Jared Bennett seconded the motion.

Board Polled:

Harness	Yes
Sanders	Yes
Evans	Absent
Wright	Yes
Bennett	Yes

Motion carried