

MINUTES
CITY OF BETHANY
PLANNING AND ZONING COMMISSION
NOVEMBER 2, 2023

MEMBERS PRESENT: Charles Snyder, Chair
Justin Peck, Vice-Chair
Ron Crouch
Robert Helton
James Clemmer
Steve Marx
Trent Reid

MEMBERS ABSENT: Kent Lynn

STAFF PRESENT: Ray Jones, City Attorney
Amanda McCellon, Comm. Dev. Director
Linda Hlinicky, Adm. Assistant

NOTICE: Agenda posted in the lobby and on the front door of Bethany City Hall, 6700 NW 36th St., Bethany, OK 73008 Thursday, October 26, 2023 at 11:00 a.m.

Charles Snyder, Chair called the meeting to order. Ron Crouch gave the invocation. Motion was made by Justin Peck, seconded by James Clemmer to approve the October 19, 2023 Planning and Zoning Commission minutes with one correction. Change "BRBO" to "VRBO". The votes are as follows: AYE- Charles Snyder, Justin Peck, Robert Helton, James Clemmer, Steve Marx, Trent Reid. NAY- None. ABSTAIN- Ron Crouch. The motion carried 6-0-1.

ITEM 1: PC 23-13

Consider a request from Frank McLendon, Applicant and Property Owner to amend the approved PUD for Bethany Village, located at the NW corner of NW 36th Street and N. Divis Ave.

LEGAL DESCRIPTION:

SE Qtr. Sect. 17 T12N-R2W (I.M.) Bethany, Oklahoma County, Oklahoma; said tract being more particularly described as follows: COMMENCING at the Southwest corner of said SE/4; thence N89°42'12" E along the South line of said SE/4 a distance of 1540.25 feet; thence N00°17'48"W a distance of 33.00 feet to the POINT OF BEGINNING; thence N00°42'07"W a distance of 600.01 feet; thence N89°42'12"E a distance of 177.00 feet; thence N00°02'01"W a distance of 160.00 feet; thence N89°42'12"E a distance of 230.00 feet; thence S00°02'12"W a distance of 400.00 feet to the POINT OF BEGINNING Said tract contains 278,901 square feet or 6.40 Acres, more or less.

(City Council will vote on this item on November 21, 2023.)

ACTION: Amanda McCellon, Comm. Dev. Director presented the staff report for an amendment to the existing PUD at the NW corner of NW 36th Street and N. Divis Ave. The setbacks that were approved in 2020 were a front of 25', sides of 5' and 10', and a rear of 15'. There are going to be 27 duplex units.

Amanda McCellon, Comm. Dev. Director summarized the zoning of the surrounding properties.

Amanda McCellon, Comm. Dev. Director explained the analysis and required action. So, the PUD for Bethany Village was approved in October of 2020; and the final plat approved in September of 2021. The public improvements were approved in May, 2023. The applicant notified staff in September, 2023 that the rear porches encroached on the utility easement by two feet. So, we worked with the engineers and Staff made a recommendation either the PUD be amended or corrective action on the placement of the structures take place. The engineering staff stated that the requested amendment would not negatively impact the health, safety, and welfare for future residents. The applicant chose to amend the PUD and reduce the minimum rear yard setbacks from 15' to 10'.

Frank McLendon, Applicant spoke to the Planning and Zoning Commission. He stated he is wanting to reduce the building line from 20' to 10' same as the utility easement. Also, in one of the paragraphs it said I was encroaching on the utility easement, and that is not true. Actually, encroaching into the building line that I didn't know was there by eight feet. There are three lots to the north that back up to the park have a 15' utility easement; and I am requesting the build line from 20' to 15' on those lots. Two of the houses I started on, the slabs encroached over the building line by 8'. My construction manager brought it to my attention, and I contacted the city.

Ray Jones, City Attorney stated he is satisfied from a legal standpoint that nothing will encroach easements, and there are no public health issues.

Justin Peck, Vice-Chair asked if any additional trees will be planted along the outline by the park.

Frank McLendon, Applicant stated there were four trees added.

Motion was made by Steve Marx, seconded by James Clemmer to recommend approving the PUD amendment located at the NW corner of NW 36th Street and N. Divis Ave (Bethany Village). The votes are as follows: AYE- Charles Snyder, Justin Peck, Robert Helton, Steve Marx, Ron Crouch, James Clemmer, Trent Reid. NAY- None. ABSTAIN- None. The motion carried 7 - 0.

NEW BUSINESS

Ray Jones, City Attorney indicated he will probably have the short-term rental ordinance ready for the next meeting.

Motion was made by Justin Peck, seconded by Trent Reid to adjourn. The motion carried unanimously 7 - 0.