

## Johnson, Thad A

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**From:** Fulton, Boyd on behalf of Ward3  
**Sent:** Thursday, November 9, 2023 9:45 AM  
**To:** Dennis Beringer  
**Cc:** DS, Subdivision and Zoning  
**Subject:** RE: Proposed amphitheater development for property NW of SW 15th and Sara Road

Hello again Dennis,

Our office has learned that the amphitheater ownership/developers have submitted a rezoning application to the City. We have not received the official date, but this proposed rezoning is tentatively scheduled to be heard at the December 14<sup>th</sup> Planning Commission, at the earliest. As of this writing, we do not have a Council hearing date. We have cc'd the Subdivision and Zoning office on here, so your protest can be submitted.

Thanks again –

### Boyd Fulton

Special Assistant to the Council  
City Council Office



The City of  
**OKLAHOMA CITY**

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**From:** Dennis Beringer <dr\_who@swbell.net>  
**Sent:** Monday, November 6, 2023 7:10 PM  
**To:** Ward3 <ward3@okc.gov>  
**Subject:** Re: Proposed amphitheater development for property NW of SW 15th and Sara Road

You don't often get email from [dr\\_who@swbell.net](mailto:dr_who@swbell.net). [Learn why this is important](#)

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Boyd:

To continue the discussion about the proposed development on the west side:

The data underlying these comments come from the weekly full-color full-page ads in the Oklahoman, the television exposure of the proposed project on Channel 9 this evening, and Moly Young's article in The Oklahoman today, as well as comments we have received from those who attended the "town meeting" sponsored by the developer.

Mr. Roth appears to be taking an extremely aggressive approach to this "proposed" development. This is evidenced by the fact that he has already sold interest in a fair number of the firepit suites he has advertised, his weekly full-page newspaper ads, and the comments quoted by The Oklahoman. As of our last communication, no zoning/rezoning request had been received by the city and apparently no construction permits had been issued. However, Mr. Roth has stated that he intends to begin construction in January of 2024 (two months from now).

This seems to suggest that there is a belief, on his part, that getting any necessary approvals and permits is a fete accompli as it were, and that the project going forward is a certainty. Does this mean that the Council has already entered into discussions with Mr Roth and has indicated a willingness to award any necessary permits, etc.? Does this suggest that the Council believes that the concerns of the local residents, many of which I have seen expressed (attendees at the

"town meeting" indicated that they were not impressed with the statements being made by developer representatives; told the attendees what they wanted to hear or dismissed concerns people had), are without merit and need not be discussed or considered?

I have already lived through three disputes that local residents have had with developers, and the results of allowing the developments to go forward have been mixed (not all good, but not all bad).

Who does this development benefit? Certainly not the local residents (please refer back to my initial list of topics that needed to be considered; even Roth admitted that entertainment venues had failed in the past to adequately deal with expected traffic problems). It would seem to benefit the City, in terms of generating revenue, and the "wealthy" investors who can afford to purchase one of the offered fire-pit suites and then, essentially, lease it out. How does Ward 3 specifically benefit from this development in concrete terms that can be substantiated?

To reiterate the issues requiring consideration by topical area:

Traffic control/congestion: Sara widening is NOT complete nor is there any progress on renewing the road surface (or widening) of SW 15th, largely destroyed by heavy truck traffic during the construction of the tollway extension. Will the parking area really be large enough to accept the expected attendees without spillover into the adjoining neighborhood?

Noise: The developers keep making glib assurances, unsupported by any data, that residents east of Sara will not hear much, if anything, from the facility. Anyone having experience in sound propagation or sound measurement/control would dismiss those claims immediately as unsupported.

Law Enforcement presence: This area is likely to need an increased and quicker-response law-enforcement presence with a facility of this size and the expected influx of the number of people anticipated. Can we get a substation out here?

Flood control/drainage: If all of that area is paved over, there will need to be means created to provide a path for the likely runoff from the heavy rains that we occasionally have. Sara Road has flooded in the past and this could again be a real possibility without appropriate measures being employed.

Heat retention/heat island: This area is presently not subject to the "heat-island" effect that major areas of the city are subjected to, largely because we have a lower percentage of terrain that is covered by asphalt or concrete. The developed area would pave over a significant area of terrain and greatly change (increase) the retention of heat through the night.

My choice to locate here three decades ago was influenced by the isolated nature of the residential area (it was the only one here; there were no houses other than these north of the golf course, also now gone) and the advantage of not being IN the city but having access to it.

We have seen much in the way of change in that time, some good, some not as good. I don't make an argument, necessarily, in opposition to the proposed development, but I do believe it would be refreshing to see Council actually consider the issues that are of concern to the local residents and not accept unbinding assurances from the developer that all concerns will be taken care of to the satisfaction of the residents.

Previous experience with such processes: The local residents were uniformly opposed to development in this area based upon projections of traffic issues and potential flooding issues. Our previous representative on Council met with residents and agreed to vote on the matter according to the wishes of those he represented. He did so, but was the only dissenting vote and actually apologized to The Council for voting against the development. I believe that was entirely inappropriate and unnecessary as he was representing the opinions of his constituents. Isn't that the intent of representative government?

We have always been told that Ward 3 is a fringe ward (our locale is Mustang schools, Yukon postal address, OKC services...) and not generally of any interest to anyone other than the Ward 3 council person. I suspect that will continue to be true, so the outcome of the current process is probably predetermined.

Thanks for your dialogue on this. I realize that this was a long tome, but it appeared from the race forward in the media that it was either get all the comments on the table now or get off the tracks and let the train roar by. :-)

Please let me know what you might know about where the process is headed.

THANKS.  
DBB

On Tuesday, July 18, 2023 at 02:44:33 PM CDT, Dennis Beringer <[dr\\_who@swbell.net](mailto:dr_who@swbell.net)> wrote:

Boyd:

Last shot across the stern, as it were... yeah, you always think of things AFTERWARDS. :-)

Our church is also there, just across the street to the south from the schools.

I would estimate that property values will NOT increase in the adjacent neighborhoods after such a development.

In fact, I would expect the opposite given data from similar kinds of developments (I will need to document these; one needs to invest in actual data where available and not speculation) (invest... speculation... that didn't slip by you, did it?). Now, if one could populate the entire subdivision with youngsters who wanted to be able to WALK to concerts, etc., then maybe... :-). It's a world of possibilities, eh? \*(yes, French Canadian on Mom's side)

Hope the rest of your week goes well. We survived the power outage today without incident. Hopefully this will continue to be true.

DBB

On Tuesday, July 18, 2023 at 02:19:39 PM CDT, Ward3 <[ward3@okc.gov](mailto:ward3@okc.gov)> wrote:

Hello Dennis,

It's always a pleasure. As I stated, I'll pass your email/comments onto Councilwoman Peck. As of this writing, no re-zoning applications have been submitted to the City. Also, if our office becomes aware of any public meetings hosted by the proposed developers, I'll make sure to share such information with you.

Thank you –

**Boyd Fulton**

Special Assistant to the Council

City Council Office



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**From:** Dennis Beringer <[dr\\_who@swbell.net](mailto:dr_who@swbell.net)>

**Sent:** Tuesday, July 18, 2023 2:01 PM

**To:** Ward3 <[ward3@okc.gov](mailto:ward3@okc.gov)>

**Subject:** Proposed amphitheater development for property NW of SW 15th and Sara Road

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Boyd:

Thanks for the conversation today. I appreciate you checking on the road widening near us so that we can figure out our alternate routes when work on SW15th starts.

The information on the "proposed" development in the open area to the NW of SW 15th and Sara was also helpful (that no request for rezoning had yet been received and the specific development plan had, by inference, not yet been approved by the City Council). As I had started outlining to you during our conversation, there appear to be a number of indications that this particular use of that property would not be particularly beneficial to the residents in the immediately, and I stress immediately, surrounding residential areas. I will list those that I can assemble off-the-cuff as it were without doing a complete analysis, which I hope to do later in collaboration with the various neighborhood associations.

1) Traffic and congestion: The area across the street to the east of the proposed site is already an established residential area, and the property on the south side of SW 15th appears to be in the process of preparation for another residential development. That the roadways immediately adjacent to the proposed site are being widened to 4 lanes does not guarantee, in any way, that the likely traffic for a 12,000 seat amphitheater could be adequately handled by those widened streets.

2) Parking: If such a venue was constructed, then there would need to be parking sufficient to keep people attending events from spreading out into the residential area and parking there. There is a creek that runs through this area that is the primary watershed, and paving over all of that area either for building foundations or for parking (I would guess asphalt, being cheaper than concrete), would likely have a negative effect on runoff. It would also have a negative effect on heat concentration in the summer (paved areas absorbing the heat all day and releasing it overnight). This would substantially change the nature/ecology of the area.

3) Law enforcement availability: The increase in traffic would likely, for numerous predictable reasons that are well supported by the records of other such developments, increase the number of incidents and accidents requiring a response by law enforcement. As we discussed, our area previously was covered from the Santa Fe station but, as you have pointed out, is now covered by a "briefing station" near Will Rogers airport. What is the current response time? Our experience is that it has always been slow. We once reported a break-in and the response time was 45 minutes.

4) Noise: As it is now, we can sometimes hear the traffic on I-40 dependent upon weather conditions. I don't believe it requires a stretch of the imagination to envision the noise pollution likely from an outdoor music-performance venue.

5) Proximity of schools: There are two schools immediately adjacent to the proposed development property; a middle school and an elementary school. They are in the Mustang School System (as you know, our area is Oklahoma City services, Yukon postal address, Mustang schools). I don't believe that I need to enumerate all of the possible scenarios in which the proximity of the envisioned amphitheater might result in negative outcomes for the school properties (I could if you really need that made specific).

6) You are aware, I am sure, that the former golf course has been converted, in some part on the north side, to a retirement community, which has increased the overall housing density here. Whether they are or are not represented by any neighborhood association is something I do not know at this time. However, it is yet another constituent group which could be impacted negatively by this particular type of development.

That is the extent of what I can generate spontaneously without doing more detailed research. A development much like this one was proposed for a property in Idaho, as I recall, in 2022 and was not approved by the County. Some of the reasons they declined to approve that effort may or may not be relevant to the situation here. I would be greatly appreciative if you could pass these thoughts along to Barbara for her consideration in the event that a request does make its way to the Council. Please let me know if you become aware of any additional information regarding this proposal that exceeds that which appeared in the Journal Record article or similar news publications.

Thank you so much for returning my call and taking a few moments to convey the information that you had.

Regards,  
Dennis Beringer  
Ward 3 resident

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