

**PLANNING COMMISSION  
MINUTES  
BIXBY CITY HALL, COUNCIL CHAMBERS  
7:00 PM, JUNE 17,2002**

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF</b>
<b>Bill Davis</b>	<b>None</b>	<b>Ken Bradford</b>
<b>Scott Sherrill</b>		
<b>Roy Paxson</b>		
<b>Jim Powell</b>		
<b>Bill Campbell</b>		

- 1. CALL TO ORDER**
- 2. CONSIDERATION A APPROVAL OF MINUTES FOR MAY 20, 2002.** Powell moved for approval with second by Paxson  
**VOTING FOR: Davis, Powell, Paxson, Sherrill**  
**VOTING AGAINST: None**  
**ABSTAINING: Campbell**  
**MOTING PASSED: 4-1-0**
- 3. FOX HOLLOW DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF PRELIMINARY PLAT FOR FOW HOLLOW, TERRY DAVIS APPLICANT.**

Ken Bradford gave the staff report and recommending approval.

Powell moved with a second by Paxson to approve.  
**VOTING FOR: Davis, Powell, Paxson, Campbell, and Sherrill**  
**VOTING AGAINST: None**  
**ABSTAINING: None**  
**MOTION PASSED: 5-0-0**

- 4. BZ 285 PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION TO APPROVE A SONGING REQUEST BY ST CLEMENTS CATHOLIC CHURCH TO REZONE THE HORTH HALF OF THE HORTH HALF OF NORTHWEST QUAARTER OF SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 17 NORTH, RANGE 13 EAST, FROM RS-3 (RESIDENTIAL SINGLE FAMILY) TO CS (COMMERCIAL SHOPPING)**

## **Ken Bradford gave the Staff Report.**

Commercial Shopping will allow by right the following:

1. Public Protection and Utility Facilities, Use Unit 4, that would include ambulance service, electrical stations, fire houses, pressure control stations, civil defense shelters, transmitting towers, and Water Storage Facilities.
2. Community Services & Similar Uses, Use Unit 5, that would include aquariums, art gallery, children's nursery, church, college, community center, cultural facility, day camps, emergency shelters, golf course, hospitals, library, marina, museum, planetarium, private clubs, park, tennis court, treatment center, schools, and living centers.
3. Off Street Parking
4. Shopping Goods and Services, Use Unit 14, that would include, art gallery, antique Shops, artist supply store, auto parts, bicycle shop, business and office machines, camera store, clothing stores, cosmetic shop, department store, dressmaking shop, dry goods, fur storage, furriers, garden supply, hardware, hobby, home furnishings, jewelry, leather goods, medical and dental, music store, office supplies and furnishings, paint store, pawn shop, pet shop, radio and TV sales, shoe repair, sporting goods, stationary store, tailor, toy shop, variety store, wall paper store, wig shop, building materials, electrical and plumbing supply, caterer, costume rental, gun smith, household appliance repair, interior decorating, Laundromat, locksmith, photo finishing, vet clinic, watch and jewelry repair.
5. Hotels, Motels, and recreation facilities.
6. Business signs and outdoor advertising.

Items by Special Exception from the Board of Adjustment can include:

1. Single-Family Homes
2. Duplex Dwellings
3. Multifamily Dwellings
4. Other Trades and Services
5. Automotive and Allied Activities
6. Drive In Restaurants,
7. Commercial Recreation

The Property, map enclosed, is bordered by RS3 on the North, CS and AG on the West, CS and OL on the South, and RS-3 on the East.

The Comprehensive Plan indicates this as an area of “Public and Quasi Public.” The Comprehensive Plan states, “It is intended that sufficient lands be provided and located in compatible intensity areas to meet the varying public and quasi-public area needs. Public and quasi-public uses generally consist of church, libraries, schools, fire stations, hospitals, public safety facilities and public services and utilities facilities.”

Public and Quasi Public lands are located in or adjacent to type one, two, or three activity centers.

1. A type one, activity center are areas on corner tracts of land, generally about 5 acres and developed with a PUD zoning.
2. Type Two activity centers is 10 to 40 acres usably developed under a PUD and include Neighborhood shopping, services, and office facilities. It is for medium intensity development.
3. A Type Three activity center is a larger area of say 60 acres.

The Comprehensive Plan shows this property within a development sensitive area because much of the property is within the 100-year 1% floodplain as indicated on present FEMA Maps. This would place significant restrictions on development. The extent of the Bixby Creek project on this property is unknown at this time. It will no doubt help the water problems of the area.

The Comprehensive Plan has indicated a corridor for some of the properties on the west side of Memorial and to the south of the property being considered. There is no doubt that much of the development along Memorial either is or a some point may be commercial or office in nature. The development of this area is directly tied to drainage issues.

The Comprehensive Plan does NOT indicate this parcel of land as residential but list it as Public and Quasi-Public in agreement with its present use. Its activity center designation Type 2 would suggest that future development might include limited commercial shopping. The intensity for the area is designated as medium which would also include a commercial shopping designation. The area is development sensitive which would limit development of any kind because of flood designation on FEMA maps. The Comprehensive Plan does not clearly designate this area as Commercial.

Father Daniel Mugenberg, pastor of St Clements, had investigated the possibility of building a school to serve south Tulsa and the Bixby area with about 250 students. St Clements was designated as the parish with enough property to build the school. However, it became evident with the flooding problems and the traffic that the present site would not be advantageous. During the investigation other options were explored and it became obvious that relocation might be in the best interest of the church and the neighborhood. A site was located south of 161<sup>st</sup> Street between Yale and Sheridan. An 80 acre tract that would serve the purposes of the church was located and purchase is underway. To make the move will cost about 2.5 million dollars and they wish to sale their present site for the highest price possible. The present appraised value is about \$450,000. If they can re-zone the property it would be worth about \$750,000. The CS zoning is requested because it fits well with the property uses now along Memorial. They investigated the possibility of zoning only the front half of the property commercial but when the front half was developed commercially the back half would be needed to accommodate storm water run off. The entire property would be needed for commercial. Commercial Development does provide a larger tax base for the city.

Powell asked Ken Bradford for a clarification of the staff report. The Comprehensive Plan does not clearly designate this area as commercial development. What does this mean? Bradford explained that the Plan addresses this area as Public and Quasi-Public because there was a church in area at the time of the plans development and other zoning designations were not considered.

Henry Harder, 9923 S 126<sup>th</sup> East Ave., Chancellor of the Diocese of Tulsa and a member of St Clements Church. The Diocese of Tulsa would like to locate a school in Bixby but it has become evident that the present site of St Clement Church will not be advantageous for the school site as Father Mugenberg has described.

John Farrer, 23 W. Stadium, has been a resident for 26 years and thinks a lot of Father Mugenberg and the church, but they would not know what would develop if the property was zoned commercial shopping and would like to keep their quite neighborhood and see residential development.

Cindy Smith, 20 W Stadium, presented a petition (attached) on persons that back up to the church property who are apposed to the CS Zoning. She is concerned about traffic and the safety of her 5 year old son if the area was developed commercially.

Brice McClain, is opposed because when the property is sold they would have no control over how it might develop commercially.

John Bell. 32 W Bixby, Was apposed because of traffic problems. It is impossible to go South now off Bixby Street when you cross over one lane of traffic. When the five lanes are completed you will have to go over three lanes of traffic. The school is to the east and the students use both Bixby and Stadium Road to go to the school.

G. W. Walker, 12 W Stadium Road, is opposed because of congestion in the area and feels it would devalue his property.

Traci Stelton, 18 W Bixby, concerned about her children and traffic. Concerned about the lights, trash, noise, etc that comes with commercial development.

The Commission looked at the Comprehensive Plan Map to establish the zoning surrounding this application and proposed uses.

City Engineer, Ken Bradford, explained this was an Activity Two Zoning area most often developed in a PUD.

Chairman Sherrill said he had reservation concerning the zoning of the property as commercial but felt that as some point the front of the property would be commercial. Sherrill made a motion to deny the request for CS zoning and thought the applicant might bring the item back as a PUD.

After some discussion Father Mugenberg requested a continuance to consider the possibility of a PUD.

Powell moved for continuance and Davis seconded.

**VOTING FOR CONTINUANCE: Davis, Campbell, Powell, Paxson, and Sherrill.**

**VOTING AGAINST: None**

**ABSTAINING: None**

**MOTION FOR CONTINUANCE PASSED: 5-0-0**

**5. OLD BUSINESS None**

**6. NEW BUSINESS None**

**7. ADJOURNMENT**

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**APPROVED**

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**DATE**