

**MINUTES  
PLANNING COMMISSION  
7:00 PM  
116 WEST NEEDLES  
BIXBY, OKLAHOMA  
MONDAY  
AUGUST 15, 2005**

**1 Call to Order**

Chairman Sherrill called meeting to order at 7:02 pm. Members present: Sherrill, Powell, Paxson, Campbell, and Davis.

**2 Approval of Minutes for June 20, 2005**

Powell motioned for approval, Paxson seconded.

**VOTING FOR: Davis, Campbell, Powell, Paxson, Sherrill**

**VOTING AGAINST: none**

**ABSTAINING: none**

**MOTION PASSED: 5-0-0**

**PUBLIC HEARINGS**

- 3. PUD 43 Public Hearing, Discussion and possible action to approve a Zoning Application for CG (Commercial General) from CS (Commercial Shopping) with the supplemental zoning of PUD 43, Trinity Restoration, applicant.**

**STAFF REPORT**

Chairman Scott Sherrill who voted in the majority to deny has asked that PUD 43 with underlining zoning of CG be reconsidered. The issue to reconsider must have a least 3 votes to place the item on the agenda.

**PUBLIC HEARING**

**Randall Pickard; attorney for Trinity Restoration, 1500 S. Utical #400, Tulsa:** Reapplication was filed so the commission could reconsider the action it took during July 18<sup>th</sup>, 2005 meeting. Mr. Pickard was in agreement with City Attorney that commission could reconsider original application without any further presentation or public input. If any changes to the original application are to be considered, then re-notification is necessary.

**Chairman Sherrill** : Would like to leave this on the agenda for a later date so we can re-advertise.

**Jim Coffey, City Planner:** The commission could take action to reconsider and we can re-advertise for public input and put the item back on the agenda with the re-advertised part. If action is to reconsider, we will withdraw the later part of this item from tonight's agenda.

Chairman Sherrill motioned to reconsider PUD 43 after additional advertising and notification has been made, Campbell seconded.

**VOTING FOR: Campbell, Powell, Paxson, Sherrill**

**VOTING AGAINST: Davis**

**ABSTAINING: none**

**MOTION PASSED: 4-0-1**

- 4. BZ 311 Public hearing, discussion and possible action to approve a zoning application for RS-3 (Single-family Residential) from AG (Agriculture District) for property located in Section 25, T-18-N, R-13-E; West of Mingo between 101<sup>st</sup> Street and 111<sup>th</sup> Street; Brumble Dodson, applicant.**

### **STAFF REPORT**

Zoning request is for RS-3 single family homes from Agricultural. The area is shown on Comprehensive Plan Map to be low intensity. RS-3 allows one dwelling unit for every 8400 square feet not to exceed a maximum of 6 per acre. Intensity for RS3 would be 5.19. The requested zoning agrees with the Comprehensive Plan. The issues in plating will be drainage, Streets, fire hydrants, water, and sewer. All of these items will be considered in the platting stage. Staff recommends approval.

### **PUBLIC HEARING**

\*Chairman Sherrill abstained because he has an interest in Tract B of said property.

No further discussion ensued.

Davis motioned to approve, Paxson seconded

**VOTING FOR: Davis, Campbell, Powell, Paxson,**

**VOTING AGAINST: none**

**ABSTAINING: Sherrill**

**MOTION PASSED: 4-1-0**

- 5. BZ 312 Public hearing, discussion and possible action to approve a zoning application for RS-4 (Single-family Residential) from AG (Agriculture District) for property located in Section 15, T-17-N, R-13-E; South of 141<sup>st</sup> Street West of Sheridan; Stone Creek Partners, applicant.**

### **STAFF REPORT**

Zoning request is for RS4 Single Family homes from Agricultural. The area is shown on the Comprehensive Plan Map to be a low intensity. RS4 allows one dwelling unit for every 6750 square feet with a maximum of 6 units per acre. Intensity for RS4 would be 6.32 which is above the residential lots in a Low Intensity Area. Staff would recommend RS3 for the area but cannot recommend approval of RS4 unless it is accompanied by a PUD. There are drainage issue, streets, fire hydrants, water, and sewer issue that would be addressed in the platting stage. Staff does not recommend approval of RS4 but could recommend approval of RS3.

### **PUBLIC HEARING**

**Roy Johnson, Attorney for Stone Creek Partners; 201 W. 5<sup>th</sup>, Tulsa:** RS-3 minimum frontage is 65 feet, minimum lot size is 6900 sq. feet in Bixby. This subdivision proposes a minimum frontage of 60

feet; which is in the RS-4 zoning. There are 3.827 dwelling units per acre. Minimum lot size is 7260 sq. feet with a 60 foot front. This subdivision can meet all of the RS-3 requirements except the frontage. Mr. Johnson went on to compare Bixby's zoning code with Tulsa's zoning code, stating that Bixby and Tulsa have the same requirements for RS-2 and that Tulsa allows a minimum frontage of 60 ft in an RS-3 with the same lot size requirements as Bixby. According to Comprehensive Plan, this subdivision is under the maximum density for RS-3 even with 65 ft. front. Applicant feels they are within the Comprehensive Plan concept at least. Seems 'unnecessary' to do a PUD just because of the 5ft difference in the lot frontage.

**Ray Bowen, 5908 E. 141<sup>st</sup> St., Bixby:** Previously discussed concerns with Staff. Bowen's property just West and North of planned development. Neighbors strongly oppose RS-4 zoning, but are not opposed to changing from AG to Residential. We feel this high-density development would cause major drainage and traffic problems. Traffic has gone from approximately 3 cars per day to presently about 500 per day in 43 years. Bowen pointed out the dangerous hill on 141<sup>st</sup> and Sheridan which is only about .1 miles from the entrance of this proposed development. Actually there are two hills to be concerned about; the one at Sheridan and on just to the West of Mr. Bowen's property. Whitehawk residential and golf course, Falcon Ridge I & II, Kimberly Clarke employees, Eagle Rock residents, and about 8 smaller acreages of residential property already add to traffic on 141<sup>st</sup> street. Also school bus safety would be an issue. Drainage is already an issue with Eagle Rock; existing properties getting about 5 times more runoff than before. Mr. Bowen submitted a video to City Staff of water coming onto his property. Would like to see Commission deny RS-4 zoning and give a more compatible zoning with less homes.

**Kari Brummett, 5800 E. 141<sup>st</sup> St., Bixby:** Also has footage of excessive drainage from Eagle Rock. Bixby is growing and I am a teacher, I like that. I do not want to give up the reason I live in Bixby. Ms. Brummett thinks Bixby requires more footage because citizens would like to live in the country and the city at the same time; which is possible but not with RS-4. Ms. Brummett also reiterated Mr. Bowen's statements about the dangerous hills and traffic issues. An increase in the number of houses could lead to an increase in the number of teenage drivers driving over that hill with the radio on and friends in the car.

**Helen Bolton, 10547 E. 161<sup>st</sup> St., Bixby:** 22yr member of Bixby School Board and has a personal interest in this property. Eagle Rock property was her family's farmland. Ms. Bolton described the traffic issues even before any development existed on 141<sup>st</sup> street as being dangerous. Main interest is school bus traffic, hills already dangerous for cars and could be even worse for buses. Most likely there will be multiple buses coming in and out. Ms. Bolton has cattle on neighboring property and has seen many "almost wrecks" and has caught a few people that ran off the road into her pasture from going to fast and missing the turn onto Sheridan.

**Powell:** If the applicant changes to RS-3, would they need a special exception for the 65 foot frontage?

**Jim Coffey:** The application is RS-3 compliant as it is; there would be no need for a special exception. But if zoned RS-4 smaller lots could be used by right.

**Roy Johnson, Attorney for Stone Creek Partners; 201 W. 5<sup>th</sup>, Tulsa:** Is there any way we can prove we will develop as shown?

**Jim Coffey**: Only with a PUD. Straight zoning has to either be approved or denied.

**Roy Johnson**: We would like to continue to September with a PUD.

Powell motioned to continue to the September meeting, Davis seconded.

**VOTING FOR: Davis, Campbell, Powell, Paxson, Sherrill**

**VOTING AGAINST: none**

**ABSTAINING: none**

**MOTION PASSED: 4-0-0**

6. **PUD 44 Public hearing, discussion and possible action to approve a zoning application for RS-4 (Single-family Residential) from AG (Agriculture District) with the supplemental zoning of PUD 44, The Legends; located North of 111<sup>th</sup> Street West of Mingo; Brumble Dodson, applicant.**

### **STAFF REPORT**

PUD 44 is located north of Trinity Presbyterian Church, between 111<sup>th</sup> Street and 101<sup>st</sup> Street. There are some items the planner request we change on page 1 of the Design Concept.

1. Maximum Number of lots does not agree with the plat and it is suggested the number be changed to 50.
2. The Maximum Height is 3 stories and we suggest it be changed to 45 feet.
3. Private Street right-of-way is 30 feet with a minimum width of a 26 foot street. Staff request that a utility easement be place in addition to the right-of-way to accommodate utility lines.
4. The street off 111<sup>th</sup> street should be treated as it was with exits onto Mingo with a 60 foot right of way wide enough for a turn lane.

The City Engineer Comments:

1. Consideration must be given to off-site discharge of storm water on the west side of the development. The east side will discharge into the Pond being constructed with the Spicewood developments. However, the west side going to the Oliphant facility will require erosion control measures and may require off-site drainage easements if the discharge is to cross property other than that owned by the City for the Oliphant Facility .
2. Water System Comments include: (a.) The loop around the cul-de-sac on the E 109<sup>th</sup> St South should be extended to tie back in the north/south line on the east side of S 95<sup>th</sup> East Ave. (b.) The line of the east side of 94 E Ave should be at least a 10" line to serve as an internal loop line for future developments between Spicewood and the Legends. Overall Master Plan showing loop line following main North/South roadways is requested for Preliminary Plat review
3. Bore and casing will be required under 111<sup>th</sup> Street.
4. Capacity of sewer lines on the west side of 94<sup>th</sup> E Ave should be sized and shown to be sufficient to handle future flows from developments to the north that will connect into the S 94<sup>th</sup> East Ave Line.

The Fire Marshal Comments:

1. Gated main entry shall be no less than 14 feet each way in width.
2. South entry should be at lease 18 foot wide.
3. Fire Hydrant should be placed at 300 ft spacing.
4. Paved Radius of cul-de-sac should be 40 feet

## **PUBLIC HEARING**

**Ted Sack, Sack & Associates:** In agreement with all staff comments, some of which are design comments and will be dealt with during the engineering and later phases of development.

**Chairman Sherrill:** Really the only items in the staff comment that affect our decision are items 1-4 of Jim's comments.

Davis motioned to approve including items 1-4 in the staff comments, Paxson seconded.

**VOTING FOR: Powell, Paxson, Campbell, Davis, Sherrill**

**VOTING AGAINST: none**

**ABSTAINING: none**

**MOTION PASSED: 4-0-0**

## **LOT SPLITS**

- BL 325 Discussion and possible action to approve a lot split on property located South of 101<sup>st</sup> Street East of Memorial; tract B of 101 S. Memorial Center; Ted Sack & Associates, applicant.**

## **STAFF REPORT**

This request for a lot split meets all requirements. Staff recommends approval with the condition that all easements and road right of ways are shown on the deeds.

**Ted Sack, Sack & Associates:** In agreement with staff to show any and all easements and road right of ways.

Powell motioned for approval with the condition that all easements and right of ways be shown, Paxson seconded.

**VOTING FOR: Campbell, Paxson, Davis, Powell, Sherrill**

**VOTING AGAINST: none**

**ABSTAINING: none**

**MOTION PASSED: 5-0-0**

## **PRELIMINARY PLATS**

- Discussion and possible action to approve a Preliminary Plat for Regal Plaza located on the East side of Memorial at approximately 104<sup>th</sup> St.; Tim Remy, applicant.**

## **STAFF REPORT**

Staff recommends approval.

Paxson motioned to approve, Powell seconded.

**VOTING FOR: Paxson, Powell, Campbell, Davis, Sherrill**

**VOTING AGAINST: none**

**ABSTAINING: none**

**MOTION DENIED: 5-0-0**

**9. Old Business: None**

**10. New Business: None**

**11. Adjournment**

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**Approved**

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**Date**