

**MINUTES
PLANNING COMMISSION
7:00 PM
116 WEST NEEDLES
BIXBY, OKLAHOMA
TUESDAY
FEBRARY 22, 2005**

- 1 Call to Order All members of the Planning Commission were present.**
- 2 Approval of Minutes for January 18, 2005 moved and second for approval.
VOTING FOR: Campbell, Davis, Paxson, Powell, and Sherrill
VOTING AGAINST: None
ABSTANING: None
MOTION PASSED: 5-0-0**

- 3 Discussion and Possible Action to approve a Minor Amendment PUD 29b to PUD 29, 29a, to approve a drive through bank teller window on the South Side of the Boardwalk of Memorial.**

STAFF REPORT:

The staff met with Mr. Wilson and his attorney on two occasion and discussed the possibility to Grand Bank locating on the South end of Boardwalk of Memorial. The bank would like a drive through window on the South side of the building. At present we have allowed in PUD 29a a concrete patio to be placed in this area which would allow the landscaping to stay in place. The proposal in PUD 29b is to allow a drive to replace the patio and connect the front parking area and the rear drive on the South side of the building. Landscaping would be as previously approved. No super structure would be allow to extend into the building set back area except a temporary awning like those on the front of the building. The staff met on this request and the following is a report of the position of each member. 1. Planner saw no ordinance violation as a drive is allowed within a building set back area. Planner emphasized that no super structure could be allowed. 2. Fire Marshal was in favor of a drive of 14 feet in width because it would allow a fire truck to go around the building which might be important to fight a fire. 3. City Engineer and Public Works Director were concerned about traffic backing up on 124th Street and potential traffic safety problems. All the staff had concern about public comment and public trust. 4. The City Attorney ruled this item to be a minor amend and said the Planning Commission could make a decision. The staff request the Planning Commission take public comment and make a decision concerning the placement of the drive.

DISCUSSION: Powell lead with comments concerning the staff report were the staff had listed their concern with the public trust. Ted Sack, engineer for the project and Bill Wilson countered that they had repeatedly attempted to please the public concerns and had responded to their request on many occasions. Powell was also concerned the additional traffic a concern pointed out by the City Engineer and Public Works Director in the staff report. Powell was concerned about the many times the developer had returned to the Commission with request for changes in the original development concept. Sherrill responded that a PUD is a living document and the agreement can be amended as needed. Powell was very concerned about the trust the citizens have place in the Planning Commission to do the right thing.

Powell moved and Paxson seconded for denial.

VOTING FOR: Paxson, & Powell

VOTING AGAINST: Davis, Campbell, and Sherrill

ABSTANING: None

MOTION FAILED: 2-3-0

Campbell moved for approval and Davis seconded

VOTING FOR: Davis, Campbell, and Sherrill

VOTING AGAINST: Powell, & Paxson

ABSTANING: None

MOTION PASSED: 3-2-0

- 4. Discussion and possible action to approve Final Plat for Copperleaf, PUD 32, OLT-Bixby Development Group LLC, applicant.**

STAFF REPORT:

Comments on the Final Plat have been returned for adjustment. The changes to the plat were very limited. They included asking for a dimension of the entry drive on 131st Street and an indication of the 100 year floodplain line. Staff had considerable comment on the covenants for the subdivision, and at this writing, 8 days before the meeting, no changes have been received. Water, Sewer, Streets, and Drainage have been received. An earth change permit was approved by the City Council and work has been done. Staff recommends approval with the conditions that the covenants be received, revised as indicated by staff, and correction be done to the plat as indicated, and that all surety and bonds be received before submittal to the City Council for approval.

Discussion about the staff report.

Powell moved and Paxson seconded for approval with the conditions outlined in the staff report.

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

VOTING AGAINST: None

ABSTANING: None

MOTION PASSED: 5-0-0

- 5. Discussion and possible action to approve Final Plat for Woodcreek, Dobson Development, applicant.**

STAFF REPORT:

Final Plat has been reviewed and returned with comments. The changes on the plat are minor and include designation of a mutual easement agreement and dimensions. The covenants have been reviewed and returned for correction. The City will not accept detention areas, drainage ways, and flood property for maintenance. The developer has been asked to modify the covenants. No Water, Sewer, or Paving Plans have been received. Earth Change plans have been approved and an Earth Change permit has been approved by the City Council. Staff recommends approval with the condition that the covenants be received, revised as indicated by staff, and that all infrastructure plans be received, and that all surety and bonds be received before submittal to the City Council.

Campbell moved and Powell seconded for approval with the conditions as outlined in the staff report.

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

VOTING AGAINST: None

ABSTANING: None

MOTION PASSED: 5-0-0

- 6. BL312 Lot Split for lot 14, Block 14, Original Town of Bixby, 115 & 113 South B Street for Nancy or Richard Walentiny.**

STAFF REPORT:

The division of property is into a lot that is 60 x 70 and a lot that is 80 x 70. The lot is in a RS-3 area and the lots would not conform to the bulk area requirements as set forth in the Bixby Code for an RS3. Neither lot could be developed if they were split under an RS3 Zoning. However, the two split lots could be re-zoned to RS4 making the lot 80 x 70 developable as is and the lot 60 x 70 developable with a variance to livability space from the Board of

Adjustment. There is at present two houses on the lot. The staff does not recommend splitting the lot unless it was rezoned RS4.

Commission informed the applicant of what they would have to do to make the lot a developable lot if it were split and ask them to consult with the Planner and bring this back at a later date.

Powell moved and Paxson seconded the item be tabled to a later date.

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

VOTING AGAINST: None

ABSTAINING: None

MOTION PASSED: 5-0-0

- 7. BL313 Lot Split for 10711 S 89th East Avenue, for Steven Titus and Clevis Titus.**
- 8. BL314 Lot Split for 10705 S 89th East Avenue, for Mitchell A McMahan and Suzan K McMahan.**
- 9. BL315 Lot Split for 10713 S 89th East Avenue, for Amanda Myers & Michael Reskovac**
- 10. BL 316 Lot Split for 10707 South 89th East Avenue, Daniel L Owens and Rebecca J Owens.**
- 11. BL 317 Lot Split for 10709 S 89th East Avenue, Donald Rex Webb and Bonita Webb.**

STAFF REPORT:

Lot Splits BL313 through BL317 above are all a result of a court action over disputed property at the Enclave at Legacy. The court agreement calls for the splitting off a portion of the land to each property owners. Staff recommends approval.

Powell moved and Davis seconded for approval.

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

VOTING AGAINST: None

ABSTAINING: None

MOTION PASSED: 5-0-0

- 12. BL 318 Lot Split for 222 & 226 E Dawes, Lots 1, 2, 3, & 4 of Block 30 Midland Addition, Betty Davis.**

STAFF REPORT:

The lot is to be split into two equal parts allowing for a duplex as zoned on each lot. Staff recommends approval.

Davis moved and Powell seconded for approval.

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

VOTING AGAINST: None

ABSTANING: None

MOTION PASSED: 5-0-0

13. Discussion and possible action to comment on Tulsa County Zoning Case CZ353 located on the SE Corner of Harvard and 191st Street.

STAFF REPORT:

The area in question is within our fence line but not in our city limits. Staff does not have a problem with the zoning and recommends approval.

Powell moved and Paxson seconded for approval

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

VOTING AGAINST: None

ABSTANING: None

MOTION PASSED: 5-0-0

14. Old Business None

15. New Business None

16. Adjournment

Approved

Date