

**MINUTES
PLANNING COMMISSION
7:04 PM
116 WEST NEEDLES
BIXBY, OKLAHOMA
Monday
March 19, 2007**

MEMBERS PRESENT	STAFF PRESENT	MEMBERS ABSENT
Thomas Holland Bill Davis Scott Sherrill	Jim Coffey Deborah Forbes	Jim Powel Neil Trowbridge

Consent Agenda –Item 1 Approval of Minutes for February 20, 2007.
Item 2 Approval Amended Final Plat Fiddlers Creek removed from the
Consent Agenda.

Motion was made by Davis and seconded by Holland to approve items 1

VOTING FOR: Davis, Holland, & Sherrill

VOTING AGAINST: None

ABSTAINING: None

MOTION PASSED: 3-0-0

Staff would ask for removal of Fiddlers Creek from the agenda. Staff meet with city engineer today and both does not believe there should be a platted area in Reserve Area C adjacent to Detention Pond which is North of Area D. Staff asks for the removal of the lot from the plat which will decrease the number of lots by one.

Motion was made by Holland and seconded by Davis to approve items as recommended by staff.

VOTING APPROVED: Davis, Holland, & Sherrill

VOTING AGAINST: None

ABSTAINING: None

MOTION PASSED: 3-0-0

BZ326 Public Hearing, Discussion and Possible action to approve the rezoning of Lots 1,2,3,4,&5, Block 1 Riverview Terrace Addition from RS1(residential) to RD (residential Duplex), Free Properties LLC, applicant.

Area is located at Riverview Terrace Addition just north of the soccer fields and to the Bentley Park. There are single family homes located there with the exception of one lot closer to the river that is platted as a residential duplex lot. The zoning of the lots has been platted rs-1 and only the one lot is platted rd. Staff has area in question is within the 100 year floodplain. It would not be possible to plat this area because the ordinance presently will not allow a lot to be platted in the floodplain. Staff feels we should not allow additional building that places more people in harms way during a 100 year event and twice as many people that will be in the area. Staff recommends denial.

Public Hearing

Applicant, David Birkman that is representing Free Properties. One of the lots will be for a single family home. Applicant showed samples of lot areas, the drawings of the duplex and one single family home. He stated that it would all be built to the standard flood zone recommendations and ordinances. The single family home would be built for him. He showed the house that has been built raised up in the drawing.

Roger Green, the owner of properties has concern about the flood with the amount of people in the park and said there would be no difference for this property.

Holland has concerns about the 100 year flood and putting a duplex zoning into a residential area. He didn't like the changing of the zoning.

Sherrill has concerns about the noise of the ball field would be too much noise and will cause a problem with complaints to the city.

Coffey stated they can still build single family homes under present ordinances by satisfying elevations one foot above base flood elevation. The difference is that we are not allowed to Platt a lot in a flood plain.

Motion was made by Davis and seconded by Holland to deny.

VOTING DENIED: Davis, Holland, & Sherrill

VOTING AGAINST: None

ABSTAINING: None
MOTION PASSED: 3-0-0

BZ327 Public Hearing, Discussion and Possible action to approve the rezoning of Lots 2 Block 1 Clyde Miller Acreage from RS3 (residential) to RT (residential townhouse), Doeksen Real Estate LLC, applicant.

Coffey states the lot is located behind a commercial area is 96.5 feet wide and 435.2 feet deep. With the lot being only 96.5 wide if you put a street in there you would be taking 50 feet off that leaving 46.5 wide left in order to comply with the ordinances you have to face the townhouses to the side facing the street which will be 435 feet long. The fire marshal has a problem that it doesn't create an access point or you can't put a call sack in it to have enough room to access the area. The only way the area can be utilized for more than one unit of RT or Rd is to open the lot front to back. This would create a long driveway or a dead end street. It would be difficult to service multiple units with a fire fighting equipment. It does not seem that RE or Rd is the best use for this lot. The staff has looked at the width of the lot and the isolation determined that there is no way to get in, and no entry into the back of the property. The staff has recommended denying the request.

No response to public hearing and applicant was not present.

Motion was made by Holland and seconded by Davis to deny.

VOTING DENIED: Davis, Holland, & Sherrill

VOTING AGAINST: None

ABSTAINING: None

MOTION PASSED: 3-0-0

PUD 54 Public Hearing, Discussion, and possible action to approve a Planned Unit Development for property located at Lots 1, 2, & 3, Block 5, North Heights Addition, Jiffy Lube applicant.

Lot three has recently been zoned to Office Light. Lots 1 & 2 were taken to the Board of Adjustment who was reluctant to allow a Jiffy Lube because of the comments during the public hearing from citizens. Since that time the subdivision has meet with the developer and worked out a compromise that has resulted in the PUD application. It includes the widening of 118th street at Memorial, opening the drives to the South and limitations on landscaping and green areas. The developer has worked with the property owners there

are some issues to be addressed including drainage plans, ODOT approval of widening 118th Street, access to the South into Bixby Centennial Plaza, width of access drives, and fire hydrant placement. The issues are placing a green area and an eight foot block wall. There is a sewer line in between lots 2 and 3 making the building to be set back further than the plans called for. There going to be needing approvals of the city board to widening 118th street, ODOT, and PUD.

JR Donnelson representing the owners of Jiffy Lube and Pat Moore has attended the meetings of the planning committee. I understood the PUD will consist of meeting with ODOT for widening the 118th street also having set back requirements of the homeowners association wanting a screening fence that is a block wall. Spoke with the engineering firm for the Bixby Centennial Plaza about connecting both sides of the entrance and there only problem was to pay for half of it which we are in agreement with. We do intend to have the green area according to the PUD just west of the office.

Public Hearing

Harley Lunder Sr, Vice President of the homeowner association North Heights, we recommend the PUD be approved. The owner of the property just west of lot 3 would be the most concerned for it to be a block wall.

Sherrill was concerned that the block wall may not be best for home owners and that a different material might work best.

Coffey said the present PUD to leave it open for material negotiations with the property owners.

Motion was made by Holland and seconded by Davis that the wall be negotiated with the property owners association

VOTING APPROVED: Davis, Holland, & Sherrill

VOTING AGAINST: None

ABSTAINING: None

MOTION PASSED: 3-0-0

PUD 55 Public Hearing, Discussion, and possible action to approve a Planned Unit Development for property located North of 151st Street and East of Sandusky, adjacent to Auberge' I, and known as Auberge' II, Westec Properties, applicant.

This development is a continuation of Auberge'I. There are several issues that can be resolved in the platting stage. These include drainage detention capacity; ingress/egress issues with gates, width of the right-a-way is 50 ft., width of streets is 26 ft., parking, and hydrant lay out, etc. However, the staff recommends approval. The fire Marshall has indicated that he needed at least 14 feet clearance on the streets and threw the gates it has been agreed too. The rear yard needs to have 15 feet on page 4 of the PUD. With those notations the staff recommend approval.

Holland was concerned if it should be a RS4 zone instead of the density of the RS3.

Public Hearing

Debra Laizure, intern of the board, thought the development of the Auberge was a very good thing.

Motion was made by Davis and seconded by Holland to approve with changes made by staff in the rear yards.

VOTING APPROVED: Davis, Holland, & Sherrill

VOTING AGAINST: None

ABSTAINING: None

MOTION PASSED: 3-0-0

PUD 56 Public Hearing, Discussion, and possible action to approve a Planned Unit Development for property located north of 146th Street and East of Memorial, known as South Village, M & B Properties LLC, and applicant.

Coffey has basic change of the rapprochement of the density question from the front of the lot to the front area and one the development area into the other development area. Also is a reduction on the frontage property to a two stories into a one story. It will be a mixture of commercial units with residential which would allow to person to work, run a small business, and live on the premises in a condominium type settings. This will be a river view development that allows them to be facing toward the river. It will fit into the park walk that is also there. The park amenities to the south as far as traffic distribution is concerned you have three entries off 148th and another off to Memorial and entry to the park itself on the east. The staff agrees to approve this.

Randy Pickard the attorney for the applicant that has submitted to the PUD explained the PUD and answered questions.

Public Hearing

John Bishop had issues with the entrance of getting in or out onto Memorial also the school bus doesn't go down to the Pecan Valley as it is.

Georgia Bishop has issue with the traffic getting in and out of Memorial too.

Holland had concern with the accidents that might happen from not being able to get on and off Memorial.

Pickard and J R Donaldson explained there are two entries on 148th Street an additional entry off Memorial where there is an existing curb cut, and an entry on the east end into the park.

Motion was made by Davis and seconded by Holland to approve

VOTING APPROVED: Davis, Holland, & Sherrill

VOTING AGAINST: None

ABSTAINING: None

MOTION PASSED: 3-0-0

DEED OF DEDICATION AMENDMENT

Discussion and possible action to approve an amendment to the Deed of Dedication and Restrictive covenants of the "Legends" an addition to the City of Bixby, Tulsa County, State of Oklahoma

Coffey outline the change in Sec 2 & 3 of the covenants for the Legends to change the covenants to allow a swimming pool and a club house for the community. The covenants do not allow a private pool. The amendment will make the home owners responsible for the maintance of the pool.

Motion was made by Holland and seconded by Davis to approve

VOTING APPROVED: Davis, Holland, & Sherrill

VOTING AGAINST: None

ABSTAINING: None

MOTION PASSED: 3-0-0

Old Business: None
New Business: None

Adjournment.

Approved_____Date_____

These minutes were completed without a tape. It is important that everyone speak into the microphones loud enough for tape to record.