

**MINUTES
PLANNING COMMISSION
116 WEST NEEDLES
BIXBY, OKLAHOMA
Monday
February 11, 2008 3:00 PM**

**SPECIAL-WORKSESSION MEETING
Open to the Public**

STAFF PRESENT:

Erik Enyart, AICP, City Planner
Deborah Forbes, Assistant City Planner

OTHERS ATTENDING:

See attached Sign-in Sheet

CALL TO ORDER:

Meeting called to order by Chair Scott Sherrill at 3:08 PM. Mr. Sherrill announced that the meeting was open to the public.

ROLL CALL:

Members Present: Larry Whiteley, Thomas Holland, Jim Powell, Scott Sherrill, and Bill Davis
Members Absent: None

OTHER BUSINESS:

1. **Zoning Code Text Amendment** Discussion regarding a possible amendment to the Zoning Code of the City of Bixby, Oklahoma, pursuant to Oklahoma Statutes Title 11 Section 43-101 et seq. and Bixby Zoning Code/City Code Title 11 Section 11-5-3, regarding the Use Unit designation, location, Zoning districts in which authorized, density and intensity, Special Exception requirements, and minimum development and appearance standards for mini-storage uses, and other related amendments.

Chairman Scott Sherrill introduced the item and opened it to discussion.

Erik Enyart stated that he had provided copies of a memo to the Planning Commission regarding suggestions that Commissioner Larry Whiteley had made regarding another alternative to mini-storage zoning:

[Staff met with Planning Commissioner Larry Whiteley on February 05, 2008. Mr. Whiteley suggested another alternative to mini-storage zoning, paraphrased as follows:

- *Permit mini-storage [as a Principal Use or as an Accessory Use] in office districts subject to:*
 1. *Mini-storage use shall not exceed 20% of the land area, with 80% being dedicated to actual Office use.*

2. *Mini-storage shall not be constructed until after the Office development is actually constructed.*

Although not specifically discussed, the same principal could be applied in a multifamily residential district, but in a different manner. Commercial Use Units 12 and 13 are permitted Accessory Uses in the RM-3 multifamily district, with certain limitations, such as use shall be for tenants only and use area shall not exceed 10% of the gross floor area. Similarly, this section (11-7B-3.B.2) could be expanded to allow for personal storage for tenant use only, but this is a separate matter than a principal mini-storage use. In other words, allowing Use Unit uses in lesser-intense districts as restricted accessory uses is not unprecedented in the Zoning Code.

Although Staff's recommendations, as contained in the latest staff report, have not fundamentally changed, Staff believes that the above suggestion, with further refinement, should be discussed and given further consideration. It should be noted that allowing small-scale accessory mini-storage uses as a part of office or multifamily developments would likely reduce the demand for mini-storage uses. Stand-alone mini-storage developments would be permitted in Industrial districts and in the CG district by Special Exception or PUD as otherwise recommended in the staff report.]

Larry Whiteley stated that he had met with the City Planner Erik Enyart, at which he proposed that the amendment include allowing mini-storage in Office districts, but requiring 80% of the land be used for office use only. Mr. Whiteley stated that he would like to see Bixby draw more tax revenue by other types of developments. Mr. Whiteley reminded the Commission that it was a recommending body only, and that the City Council would have to make the final decision.

Bill Davis asked if the mini-storage within office districts should not be restricted for use for the office development tenants only, and Larry Whiteley stated that that was something the Commission could discuss.

Erik Enyart stated that his memo on Larry Whiteley's suggestion included additional information and viewpoints in this regard, and may have confused the original message, contained in the bullet point and two (2) numbered lines in his memo.

Larry Whiteley discussed his suggestion, and recommended that mini-storage be allowed in Office districts only as an accessory use, with a maximum of 20% used for mini-storage use and the balance for office use, and the office use development must occur first. Mr. Whiteley stated that the shopping center directly across from Wal-Mart Supercenter had some mini-storage, which could hardly be seen. Mr. Whiteley estimated the development appeared to be about 80% shopping center [and 20% mini-storage].

Chairman Scott Sherrill stated that most of the Commercial and Office development occurs within the first 250 to 300 feet from the street, which left a certain amount of property in the back to be used for something else. Mr. Sherrill stated that the first part has the higher value overall, and is sold by the square foot, whereas the back parts were often so much less expensive that they would be 'thrown in' to a land sale deal, but that this was not the case so much anymore. Mr. Sherrill suggested allowing mini-storage in districts other than Industrial or Commercial. Mr. Sherrill suggested the Architectural Committee be invited to the Worksession meetings to provide input on the aesthetics of the mini-storages. Mr. Sherrill suggested that mini-storage should have its own Use Unit category in the Zoning Code, together with restrictions, such as requiring a PUD process for approval, and not by Special Exception.

Jim Powell stated that Bixby needed more revenue-generating businesses and that churches, banks, mini-storages, and used car sales uses do not generate sales taxes. Mr. Powell indicated agreement

with Erik Enyart's recommendations. Mr. Powell stated that there were good reasons that all the adjoining cities did not permit mini-storage in OL. Mr. Powell suggested that the city needed a Code Enforcement Officer. Mr. Powell continued describing how mini-storage uses were not beneficial for Bixby.

Tom Holland discussed the location of PUD 60 and its appropriateness for mini-storage development. Mr. Holland stated that he had driven by a few of the mini-storage developments noted in the staff report and during previous meetings, such as the one in Jenks. Mr. Holland indicated dissatisfaction in the appearance of the new [Self-Storage Depot] mini-storage development [in *Bixby Crossing*]. Mr. Holland noted that the aesthetics were important.

Chair Scott Sherrill asked attending Real Estate Broker Jeff Scott of Scott Realty if there was a location in Tulsa which would be comparable to the mini-storage proposed [per PUD 60], and Mr. Scott stated that his client informed him that there was no comparable development, and that he would do a very good and attractive development if allowed. Mr. Scott encouraged the Commission to put standards on the PUD's approval so that it would be what the Commission wanted it to be. Mr. Scott asked the Commission not deny this location. Mr. Scott stated that the 330' by 1320' tract configuration was not an ideal development dimension. Mr. Scott asked Erik Enyart about PUD 60, and Mr. Enyart stated that he would refrain from speaking about PUD 60 as it was not on the agenda and that the matter at hand was what changes should be made to the Zoning Code regarding Zoning Districts which would allow mini-storage uses.

Tom Holland indicated agreement with some of the Staff's recommendations. Mr. Holland expressed concern that PUDs are too often allowed to be amended, resulting in a PUD which does not resemble the original PUD as approved. Jim Powell echoed this concern.

Bill Davis indicated agreement with the Staff's recommendations. Mr. Davis expressed concern regarding the Board of Adjustment's ability to make exceptions [Variances] and so change the standards the Planning Commission was trying to accomplish. Erik Enyart noted that his only recommendation which discussed a Special Exception was to allow mini-storage in the CG district by Special Exception or PUD, and described that Variances can be approved by the Board of Adjustment in accordance with the Zoning Code, but not to allow for a change in use.

Chair Scott Sherrill stated that, if new mini-storage developments were restricted, a lot of parcels of land would not develop and will just sit vacant and grow tall grass. Mr. Sherrill suggested some of the mini-storage owners attend the meeting to give more input on the advantages mini-storage has to offer to the city.

Chair Scott Sherrill clarified with Erik Enyart that it would not be in order to make any Motion or take any action, and that the purpose of the Work session meeting was to provide feedback to Staff to incorporate into the staff report for presentation at the next meeting, where action could be taken. Mr. Sherrill stated that he would make a Motion at the next meeting to change the Zoning Code to allow mini-storage in other areas than they are allowed today, including the OL and OM districts, and require [absolute standards] for their development and use, and requiring that they go through a PUD process.

Chair Scott Sherrill asked if he had missed anything. Erik Enyart indicated that the Commission had not given him specific direction on Larry Whiteley's new suggestion.

Larry Whiteley discussed his suggestions and noted that the 20% mini-storage use could go 5% either way, as long as it was allowed in an office development, and not allowed as a mini-storage development with some office use.

Chair Scott Sherrill suggested that the Commission should have someone who a mini-storage development attends the next meeting to provide input. Erik Enyart looked to Jeff Scott and stated that the developer of PUD 60 may be such an interested mini-storage development representative. Jeff Scott stated that Bob Lemons, who owned a mini-storage development at 101st St. S. and Trenton Ave., would be a good representative.

ADJOURNMENT: There being no further business, Scott Sherrill declared the meeting Adjourned at 4:30 PM.

APPROVED BY:

Chair

Date

City Planner/Recording Secretary