

Bixby Planning Commission Minutes
City Hall Municipal Building
116 W. Needles, Bixby, OK 74008
May 17, 2021 6:00 P.M.

The agenda for the regularly scheduled meeting of the Planning Commission of the City of Bixby was posted on the bulletin Board at City Hall, 116 West Needles Avenue, Bixby, Oklahoma on March 12, 2021 on or before 5:00 p.m.

Call to Order: 6:01 pm.

Members Present

JR Donelson (Chairman)

Tom Holland

Mr. Hobbs

Members Absent

Joshua Nave (Vice Chair)

Lance Whisman

Staff Present

Carolyn Back, Development Services Director / City Planner

Donna Crawford, Secretary/Assistant Planner

Item #1 on the Consent Agenda:

Consider and approve:

- a. Approval of Minutes
- b. Regular Scheduled Planning Commission Meeting April 19, 2021

Mr. Holland made motion to approve, seconded by Mr. Hobbs. The vote was taken with the following results:

Carried 3-0

Yes: Holland, Hobbs, Donelson

No: None.

Item #1 of Unfinished Business:

Discuss and approve applicant AAB Engineering Rezone (BXZO-21.03) 4.72 acres from Agriculture to Commercial Shopping (development area A), Rezone (BXZO-21.04) 156.66 acres from Agriculture to single-family and RS-3 (development areas B and C) and the accompanied PUD (BXPUD-21.04) for RS-3 Continued from April 19, 2021 Meeting.

General Location: Southeast corner of east 141st street south & south Lewis

Presented by: Jason Mohler of AAB Engineering

Carolyn Back recounted that the last Planning Commission meeting decided to postpone approval to the May 17th meeting in order to allow the applicant to list out all the commercial uses that would not be allowed in the PUD.

Mr. Donelson invited Jason Mohler to speak on this topic.

Jason Mohler of AAB Engineering: The PUD lists the uses that would not be allowed from the use by right in CS zoning.

All uses in Use Units 1, 4,

From Use Unit 5:

Aquarium

College

Commercial Event Center

Emergency and Protective Shelter

Golf Course

Hospital

Marina

Medical Marijuana Education Facility

Mega Event

Private Club

Residential Treatment Center

Transitional Living

University

From Use Unit 11:

Data Processing

Transportation Ticket Office

From Use Unit 13:

Medical Marijuana Dispensary

Tobacco Store

From Use Unit 14:

Retail Building Material Establishments

Fur Storage and Furriers

From Use Unit 19:

All Uses

At the request of Mr. Donelson, Carolyn Back explained the purpose and function of a Comprehensive Plan. Particularly that community input was solicited to craft the 20 year vision.

Mr. Holland asked about Use Unit 16 Mini-Storage. Mr. Mohler stated that a Mini-Storage required a PUD and was not a use by right in CS; therefore, it would not be allowed.

Mr. Donelson invited Patty Berens to speak who chose not to speak on this item.

Mr. Donelson invited Keith Robertson (14573 south Lewis Ave) to speak. Opposed to any commercial use because the location is remote. Prefers water detention, parks.

Mr. Donelson invited Dan Stahl to speak. Doesn't see need for commercial area. Pointed out that there are several commercial areas like this that remain undeveloped for years. Prefers a residential use.

Mr. Donelson invited Dennis Widowski (13611 south 18th place) to speak. Referenced two similar developments that are mostly empty as evidence that more commercial space is not needed.

Mr. Donelson invited Chris Loney (1717 east 140th south) to speak. Also does not see the need for more commercial development.

Mr. Donelson closed the public hearing.

Mr. Donelson reminded those present that the Comprehensive Plan passed in 2018 guides zoning and that the PUD in question both meet that plan and meets the requirements for commercial zoning.

Discussion ensued.

Mr. Holland made motion to approve rezoning (BXZO 21.03), seconded by Mr. Hobbs.

The vote was taken with the following results:

Carried 3-0

Yes: Holland, Hobbs, Donelson

No: None.

Discuss and approve rezoning (BXZO 21.04) a continued item from (BXPUD 21.04) to allow commercial and single-family residential.

General Location: Southeast corner of east 141st street south & south Lewis

Carolyn Back summarized clarifications unanimously required by the PC:

Commercial uses not allowed

Show amenities

Approved building materials listed to include architectural shingles

Minimum building footprint of 1500 sqft

Minimum lot area of 6300 sqft

Minimum lot size of 65 ft by 105 ft

Minimum lot width of 65 ft

100% masonry

Jason Mohler of AAB Engineering presented:

Exhibit G of the PUD now has a proposed amenities listed:

Walking trail

Two playgrounds

Swimming pool

Soccer Field

Volleyball court

Basketball court

Included language requiring 100% masonry and architectural shingles on the PUD

Mr. Mohler pointed out that Development Area B already required a minimum building footprint of 1500 sqft while Development Area C already has a self-imposed 1800 sqft minimum footprint. Minimum Lot Area for Development Area B has been increased to 6500 sqft, and Development Area C has been increased to 6900 sqft. All of these requirements are in compliance with RS-3 zoning. RS-3 zoning requires 65 x 105 sqft lots. PUD request is to deviate from RS-3 zoning for lot sizes of 55 by 120 sqft for Development Area B and 60 by 120 sqft lots in Development Area C.

Zach Holland presented by describing and giving examples of the design quality and types of houses they intend to build. Mr. Holland acknowledged the work AAB Engineering has put forth on this project.

Mr. Donelson invited Patty Berens to speak. Patty Berens (14009 south 18th street) expressed concern about the effect of the development on drainage.

Mr. Donelson explained that this hearing is concerned with approving land use and that storm-water runoff would have to be addressed before any development would be approved. Furthermore, the development could not discharge more water after development than before.

Mr. Donelson invited Keith Robertson who likes the design of the houses but expressed that the PC should still require the 60 ft wide lots because of drainage issues. He also expressed concerns with flooding.

Mr. Donelson invited Dan Stahl to speak who expressed concern with the impact of additional housing on traffic on the roadways. Specifically identified Peoria Elm, Lewis. Mr. Stahl said the road conditions are Harvard were deadly on account of its narrowness and patching. Also said houses and lots were too small for the area.

Mr. Donelson invited Dennis Widowski to speak. Mr. Widowski agreed that proposed houses and lots were too small for the area. He also expressed concern about flooding.

Discussion ensued on the size of lots and the minimum size of square footage within the development. Lengthy discussion on the 100% masonry in some areas within the development and no requirements in other parts of the development.

Mr. Donelson closed the meeting to public comment and began discussions.

Mr. Holland confirmed flooding is always an issue, but pointed out that the lot sizes are very large for 55 ft wide lots and that the housing designs are above standard. He asked them to explain more about masonry and hardy board.

Mr. Hobbs and Mr. Donelson reiterated that the PC does not have a position to address infrastructure concerns. He expressed that all requests made of the applicant had been met except the minimum lot width.

Mr. Donelson recounted PC requests of applicant and their compliance on each point.

Carolyn Back suggested the applicants explain what is meant by 100% masonry to the first-floor top-plate. Discussion took place on what exactly that meant.

Architect explained that it would be brick or stone up to the first-floor top-plate and confirmed that the James hardy board would remain in the PUD. Gave defending case for deeper and narrower lots.

Jason Mohler stated that the portion of Harvard brought up earlier is in Tulsa County's jurisdiction.

Mr. Hobbs made motion to approve the PUD (BXPUD 21.04) as presented, seconded by Mr. Donelson. The vote was taken with the following results:

Carried 3-0

Yes: Hobbs, Donelson, Holland

No: None.

Item #2 on the Public Hearing Agenda:

Discuss and approve of Rezone (BXZO-21.07) of 0.82 acres from Agriculture to Residential RM-3 and Commercial CG and Preliminary Plat (BXPT 21.05) and Final Plat (BXPT 21.05) for Ross Engineering.

Location: Northeast Corner (NE/c) of East 134st Street South and South Memorial Drive, Bixby, OK.

Presented by: James Beach of Wallace Engineering for Domino's Pizza

Carolyn Back gave the staff report for the rezoning. Pointed out that applicant agreed to have their surveyor include the existing road as part of the rezoning.

Mr. Holland made motion to approve rezone (BXZO-21.07), seconded by Mr. Hobbs. The vote was taken with the following results:

Carried 3-0

Yes: Holland, Hobbs, Donelson

No: None.

Mr. Donelson made motion to approve the Preliminary Plat (BXPT 21.05), seconded by Mr. Holland. The vote was taken with the following results:

Carried 3-0

Yes: Holland, Hobbs, Donelson

No: None.

Mr. Donelson moved to the Final Plat discussion.

Mr. Holland expressed concern with issues such as sidewalks, trees, etc.

James Beach of Wallace Engineering responded that due to a large drainage ditch and a lack of sidewalks in the area they are requesting that the sidewalk requirement be waived for the east side of Memorial.

Mr. Holland asked about a fee-in-lieu; discussion ensued about sidewalk requirements.

Carolyn Back said that due to this specific situation that staff would recommend not requiring fee-in-lieu.

Mr. Donelson pointed out that this has always been the case on the east side of Memorial.

PC discussed screening requirements.

The trash enclosure will be in an easement, therefore, Carolyn Back recommended that they mark the trash enclosure on the plat.

Mr. Holland made motion to approve the Final Plat (BXPT 21.05), seconded by Mr. Hobbs. The vote was taken with the following results:

Carried 3-0

Yes: Holland, Hobbs, Donelson

No: None.

Item #2 on the Public Hearing Agenda:

Discuss and approve rezone (BXZO 21.05) 10.7154 acres from AG to Commercial Shopping.

General Location: East side of Memorial South of 126th street

Presented by: Tim Terrell of Tulsa Engineering and Planning Associates for Cox Nursing Home and Child Day Care

Carolyn Back gave a summary of surrounding zoning. She said this rezone is contingent on the complete rezone of this parcel to Commercial Shopping so that there will not be split-zoning on an individual parcel. She also explained that the Planning Department Staff has come to an agreement with the client so that they would not have to plat on the front end. The client will return with the rezoning for the entire parcel and will then preliminary final plat for the nursing home. A PUD would be required at a later date for the Corridor Appearance District. The nursing home will incorporate a daycare and will act as a buffer between the Commercial Shopping area and the single-family area.

Mr. Donelson invited Rob McDonald (8648 east 127th street south) to speak. He said he was pleased about the proposed nursing home. He expressed a preference for ingress and egress to the nursing home be placed on Memorial or 126th street and not on 85th street as it is the only entrance to the residential community and has many children near a playground. Also expressed concern with the rapid development in the area particularly the need for a traffic signal at the intersection of 126th and Memorial.

Mr. Donelson directed Mr. McDonald to call the City Manager on the schedule for the traffic light.

Mr. Donelson invited Lorie Kapura (12671 east 85th avenue) to speak. She expressed some concern about the buffering between the development and Bixby Landing.

Mr. Donelson explained that a current strip of grass would now be grass and trees. Carolyn Back added that the circles that cross over the property lines were representations of the tree canopy.

Mr. Donelson invited Beverly Molnar (8535 east 126th place) to speak. Expressed concern that the nursing home be reputable and aesthetically pleasing. She also expressed concern about where the entrance is placed and the need for a traffic signal at 126th and Memorial.

Mr. Donelson invited the applicant to respond to questions.

Tim Terrell said the main entrance will be on 126th street; however a secondary entrance will be at 85th East Avenue because the fire marshal requires a development to have two points of entry. He said they were proposing one tree for every thirty-five feet on the north and east sides as a buffer and aesthetic/noise screen. Mr. Terrell said the client has a nursing home in Owasso that could be viewed for quality of construction.

Mr. Hobbs made motion to approve with conditions described in the staff report, seconded by Mr. Holland. The vote was taken with the following results:

Carried with conditions 3-0

Yes: Holland, Donelson, Hobbs

No: None.

Mr. Donelson made a motion to approve a Specific Use Permit (BXSUP 21.03) for the nursing home use, seconded by Mr. Holland. The vote was taken with the following results:

Carried with conditions 3-0

Yes: Holland, Donelson, Hobbs

No: None.

New Business to Discuss:

Carolyn Back announced a tentative joint work session with the Board of Adjustments and Planning Commissioners Monday June 7th 5:30-6:30.

Adjournment was called at 7:40 p.m.