

MEETING MINUTES - SPECIAL MEETING
PLANNING COMMISSION
116 WEST NEEDLES, BIXBY, OKLAHOMA
October 27, 2016 **6:30 PM**

In accordance with the Oklahoma Open Meeting Act, Title 25 O.S. Section 311, the agenda for this meeting was posted on the bulletin board in the lobby of City Hall, 116 W. Needles Ave., Bixby, Oklahoma on the date and time as posted thereon, a copy of which is on file and available for public inspection, which date and time was at least twenty-four (24) hours prior to the meeting, excluding Saturdays and Sundays and holidays legally declared by the State of Oklahoma.

STAFF PRESENT:

Marcae' Hilton, City Planner

OTHERS ATTENDING:

See attached Sign-In Sheet

CALL TO ORDER Chair Lance Whisman called the meeting to order at 6:37 PM.

ROLL CALL

Members Present: Larry Whiteley, Jerod Hicks, and Lance Whisman, Tom Holland

Members Absent: Steve Sutton

CONSENT AGENDA

1. Approval of Minutes for the Planning Commission Meeting: September 19, 2016

2. **LOT SPLIT & LOT COMBINATION-BXLS-16.04 KN HOLDING, BXLC-16.03 KN HOLDING**
Applicant, K.S. Collins of Collins Land Surveying, Inc., Approval of a Lot Split and Lot Combination in Section 13, T17, R13E

Property Generally Located: North of 151st Street South and east of Memorial

Motion was made by Tom Holland and seconded by Larry Whiteley

ROLL CALL:

AYE: Holland, Whiteley, Hicks and Whisman

NAY: None

ABSTAIN: None

MOTION PASSED: 4:0:0

PUBLIC HEARINGS-NONE

PLATS

3. **PRELIMINARY PLAT-THE COTTAGES AT QUAIL CREEK, BXPUD-16.03**

Applicant, Ricky Jones of Tanner Consulting

Review, discussion and recommendation on a Preliminary Plat for approximately 8.851 acres for the purpose of a Single-family Residential Development in Section 02, T17, R13E

Property Generally Located: West of Memorial one-quarter mile and north of 131st Street one-half mile

STAFF PRESENTATION: Marcae' Hilton, City Planner

The applicant received approval from City Council on September 12, 2016, for a change in Zoning from AG to RS-3 along with BXPUD-16.03 *Cottages of Quail Creek* in order to complete the next phase of the Quail Creek of Bixby and Quail Creek Villas of Bixby development.

Special attention has been given to the Reserve Area which is combined with Reserve A and Lot 40, Block 2, of Quail Creek (Plat #6613) to provide a neighborhood amenity containing accommodations such as a pool, clubhouse, and play area. This collective area, located in the northwest corner of the plat will serve as the second point of access to the subdivision and as a connector street to Quail Creek. Reserve A and Lot 40, Block 2, Quail Creek of Bixby will be replatted with Cottages at Quail Creek and residents of the various Quail Creek subdivisions will make use of the combined area. There is still an outstanding Minor Amendment to PUD 76 requirement for Quail Creek; the amendment will allow Lot 40 Block 2 to serve a use other than residential.

The Technical Advisory Committee (TAC) heard this item on Wednesday, October 05, 2016. Tanner will be coordinating closely to identify the actual location of the Utilities and amenities. TAC and Fire Marshal comments are included in the report. Staff requests all outstanding comments be resolved before submittal of the Final Plat to City Council.

Staff believes the *Preliminary Plat for The Cottages at Quail Creek* meets the requirements of the Zoning Regulations and Bixby Land Use.

Staff recommends approval of the Preliminary Plat *The Cottages at Quail Creek, BXPUD-16.03* subject to the resolution of comments from Staff and TAC.

Ricky Jones of Tanner Consulting spoke on behalf of the Developer
Discussion ensued regarding PUD approval.

Motion was made by Tom Holland and seconded by Larry Whiteley

ROLL CALL:

AYE:	Holland, Whiteley, Hicks and Whisman
NAY:	None
ABSTAIN:	None
MOTION PASSED:	4:0:0

4. PRELIMINARY & FINAL PLAT-KUM & GO 835 ADDITION

Applicant, Chris Cloyde of Crafton, Tull & Associates, Inc.

Review, discussion and recommendation on Preliminary and Final Plat for approximately 1.32 acres for the purpose of a convenience store in Section 11, T17N, R13E

Property Generally Located: South of the southwest corner of 131st and Memorial

STAFF PRESENTATION: Marcae' Hilton, City Planner

This parcel was originally part of VNB Addition, Plat 6192, filed March 14, 2008. The 2.41 acres proposed two (2) lots, one (1) block. KUM & GO has purchased Lot (1) Block (2) a 1.32-acre parcel and is working through their attorney to vacate a portion and re-subdivide Plat 6192. There are several easements, which are no longer needed, slight changes of access, and new ownership making the plat vacation paramount to a cleaner final product.

The primary access to the subdivision is via S. Memorial Dr. / U.S. Highway 64. The consultant has worked with ODOT to modify the Limits of No Access (LNA), which were placed along sections of the Memorial Dr.; staff believes the changes represent safer access options.

The Technical Advisory Committee (TAC) heard this item on Wednesday, October 05, 2016. TAC and Fire Marshal comments are included in report. Staff requests all outstanding comments be resolved before submittal of the Final Plat to City Council.

Staff believes the *Preliminary Plat for Kum & Go 835* meets the requirements of the Zoning Regulations and Bixby Land Use.

Staff recommends approval of the Preliminary and Final Plat of KUM & GO 835 ADDITION A RE-SUBDIVISION OF LOT 2 BLOCK 1, VNB ADDITION subject to the resolution of comments from Staff and TAC.

Chris Cloyde of Crafton Tull spoke on behalf of Kum & Go.

Discussion ensued regarding screening requirements along full length of west, old Kum & Go building and hydrology.

Motion was made by Tom Holland and seconded by Larry Whiteley

ROLL CALL:

AYE:	Holland, Whiteley, Hicks and Whisman
NAY:	None
ABSTAIN:	None
MOTION PASSED:	4:0:0

OTHER BUSINESS

5. Consider, Discuss, and Select a Planning Commission Member to serve as representative for the Comprehensive Plan Consultant Selection Committee

STAFF PRESENTATION: Marcae' Hilton, City Planner

Planning Commissioners discussed the duties of the Comprehensive Plan Consultant Selection Committee, 1 City Councilor and 1 Planning Commissioner was asked to serve as well as several staff. There was an error on page 3 of the RFQ, the Barbeque and Blues was not organized by Optimist Club, it was organized by the Rotary Club. Jerod Hicks volunteered to serve as a Committee Member. Tom Holland said he would serve as well especially if Jerod could not be present, but could not fully commit due to his schedule. Lance Whisman was interested but commented his work schedule would be busy due to year-end tasks.

APPOINTED: JEROD HICKS

APPOINTED AS SCHEDULE ALLOWS: TOM HOLLAND

Motion was made by Larry Whiteley and seconded by Jerod Hicks

ROLL CALL:

AYE:	Holland, Whiteley, Hicks and Whisman
NAY:	None
ABSTAIN:	None
MOTION PASSED:	4:0:0

6. Discussion, Review, and Acceptance of the Planning Commission Opening Rules

STAFF PRESENTATION: Marcae' Hilton, City Planner, this item was mentioned previously by Jared Hicks per the City Council. These items were taken primarily from the Tulsa Metro Area Planning Commission and have been adopted by Board of Adjustment as is presented.

In order to conduct the zoning public hearing in an orderly manner, we ask that you abide the following rules:

- 1) The Commission will first hear from the Staff:
 - a. Explanation of the proposed item
 - b. Physical facts of the property under application
 - c. Surrounding property

- d. Presentation of the Staff's recommendation
- 2) The Commission will hear the applicant's presentation (not to exceed 10 minutes)
- 3) The Commission will hear from any interested parties or Protestants.
 - a. Each speaker will have up to 5 minute times
 - i. No Sharing of minutes
 - ii. One (1) opportunity to speak
 - iii. 30 minutes or less total (public hearing portion)
 - b. THOSE WISHING TO SPEAK MUST USE THE SIGN-IN SHEET
- 4) Please For Public Record, if you do choose to speak
 - a. State your name
 - b. State your address
- 5) The Commission will hear the applicant's rebuttal, if any, not to exceed ten (10) minutes.

During the hearing, the Commission may ask questions of staff, the applicant or interested parties.

In the room are representatives of the Legal Department and the City of Bixby Staff. We do have a taping system; therefore, please direct all of your comments into the microphone.

CITIZEN COMMENT: Jay Mauldin, 7341 E 119th Place, Bixby OK 74008

Mr. Mauldin argued for approximately 15 minutes the rules needed more options. He submitted a copy of the *Adoption of a City Council Rule on Public Comment at Council Meetings* for the City of Bixby and asked the Planning Commission to compare and contrast with City Council rules, to consider adding similar language especially striking the no sharing of minutes due to being too restrictive. He had concerns about the language, which limited speakers to one opportunity to speak. Stating the language does not allow for rebuttal by citizens. He felt he might need to set his record straight during a hearing, if someone was to mischaracterize his or others comments. He asked not to adopt tonight, he preferred all 5 PC members be present for the decision. He mentioned concerns about public access to information and what is going on down here (City Hall)...

Marcae Hilton' City Planner: noted he was off topic in reference to talking about meeting minutes and postings on the website

Mr. Mauldin stated people need to know what is going on, and if they were subjected to these rules would be problematic and they are seen as an attempt to squelch public involvement in these processes, he felt the rules were well intentioned but misguided.

Jared Hicks, Planning Commission: rules are put into place to set boundaries, in any discussion, which is at hand, I do not think anyone would have any problem saying let's stay here until we get things resolved. The PC is a technical commission, and reviews the project per zoning regulations and land use. The City Council is where there can be deeper conversations about what is good for our community. He gave an example of the recent Addison Creek Plat Hearing. He stated the rules being set in place are here to help us keep on track based on what we are here for.

Mr. Mauldin: stated, public hearings are public hearings, he was not suggesting we do not have rules, he was just suggesting be careful in just jumping on rules are proffered for your consideration. He also questioned if the 5 minutes applied per meeting or per agenda item? More Discussion ensued.

Marcae' Hilton, City Planner read the rules aloud and clarified the 5 minutes were per item.

Mr. Mauldin: additional comments

Jared Hicks, Planning Commission: there has to be some basis for rules, but there is always an exception...

Mr. Mauldin: referred to Council Rules 2 F.....

Tom Holland: (CC 2F) that is probably a reasonable request; the rules allow the Commission to maintain an orderly meeting. Jared has a valid point as well, bottom Minutes – Bixby Planning Commission, October 27, 2016

line; this is not the avenue or venue for these types of discussions, we are not the political side he stated we are trying to establish clear guidelines

Mr. Mauldin: stated he concurs, there should be rules...the public has the right to participate at Public Hearings, it is hard to know these things because it is not posted...City is afraid to let the people know

Marcae' Hilton: Marcae' stated we (the City) don't try to keep secrets and it is insulting when we are accused of that, it is completely contrary to the philosophy if the City Manager, City Council, and Staff we are as transparent as our schedules and our times allow within the law that is required and we meet those requirements.

Mr. Mauldin: you expect me to believe that?

Chair Whisman, Commissioner Holland: YES!

Mr. Mauldin: Mr. Mauldin stated, there is more to this than meets the eye!

Motion was made to continue to next meeting with changes to be approved by Larry Whiteley and seconded by Tom Holland

ROLL CALL:

AYE:	Holland, Whiteley, Hicks and Whisman
NAY:	None
ABSTAIN:	None
MOTION PASSED:	4:0:0

7. Approval of 2017 Calendar

STAFF PRESENTATION: Marcae' Hilton, City Planner

The Planning Commission discussed and approved the calendar with one change Planning Commission will not meet Thanksgiving Week in 2017-November Dates changed from Monday the 20th of November to Tuesday the 14th of November.

Motion was made by Tom Holland and seconded by Lance Whisman

ROLL CALL:

AYE:	Holland, Whiteley, Hicks and Whisman
NAY:	None
ABSTAIN:	None
MOTION PASSED:	4:0:0

ADJOURNMENT

There being no further business, Chair Lance Whisman declared the meeting Adjourned at 7:42 PM.

APPROVED BY:

Chair

City Planner/Recording Secretary

Date